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# African Gender Institute

***Recollections and Representations;  
The negotiation of gendered identities and 'safe spaces' in the lives  
of LGBTI refugees in Cape Town, South Africa***

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*"Every human heartbeat is a universe of possibilities"*  
~shantaram

A dissertation submitted in fulfillment of the requirements for the degree of  
Master of Social Science in Gender Studies  
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**UNIVERSITY OF CAPE TOWN**  
IYUNIVESITHI YASEKAPA • UNIVERSITEIT VAN KAAPSTAD

## Compulsory Declaration

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

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## **Dedication**

To my participants in this study, for your bravery and courage;

To those who unapologetically and courageously live openly as lesbian, gay, bisexual, transgender, intersexed or gender non-conforming in this brutally dangerously homophobic environment.

To the human rights activists' persistence and commitment, and those who organize grassroots uprisings against violence, hate crimes and homophobia in their communities.

To the LGBTI organizations and Institutions domestically, nationally and internationally who work tirelessly to promote the universal call for human rights for all.

To all the straight allies around the world who challenge the premise that human sexuality is monolithic and that gender is binary; For the continued support and love in this battle.

University of Cape Town

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## Abstract

Political and State sponsored homophobia across Africa has been on the increase in the last decade (Ottosson 2010:7). Thirty-eight countries within Africa still criminalize homosexuality and as a result LGBTI refugees represent a growing number of the refugee population across Africa. South Africa is the only African country, which protects the rights of sexual minorities and grants asylum based on sexual orientation. With the lack of proper documentation by immigration offices, humanitarian organizations and legal and political institutions within South Africa, it is clear that the needs for LGBTI refugees are often overlooked as a particular “grouping”.

In this dissertation, I offer theoretical arguments around sexual rights discourse, homophobia on the African continent and the lived experiences of refugees in Cape Town. I explore the different cultural/discursive, regulatory/institutional and racial/class norms that inform and compel the sexual refugees in this study to conform --or not -- to gendered sexual binaries which are socially constructed and produced. I argue that these performances of sexuality are constantly negotiated, justified, and re-normalized within a context of a hegemonic heteronormative spaces of what it means to be male/female, masculine/feminine, heterosexual/homosexual, thus shaping the identities and lived experiences of their sexual refugee-hood in Cape Town. I explore the phenomenon of sexual migration to South Africa and question whether the lives of sexual refugees really are better at the end of the “rainbow”.



# Chapter ONE: Introduction

## A Reflection

*“Don’t ask yourself what the world needs.  
Ask yourself what makes you come alive and then go do that.  
Because what the world needs is people who have come alive”  
~ Dr. Howard Thurman*

This thesis is the product of a two-year research project carried out under the supervision Dr. Jane Bennett at the African Gender Institute, University of Cape Town, South Africa. In this paper, I explore the personal narratives of five lesbian, gay, bisexual, transgender and Intersexed (LGBTI) sexual refugees and seek to give voice to the frequently invisible and inaudible-cloaked realities of this particular group of people. The premise of the research project originated in February 2010 but stemmed from eight years of work in gender studies, human rights and LGBTI activism. The inspiration for this particular study came about after reading Gayle Rubin’s article “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality. Rubin’s sex-positive feminism introduced theories around social and cultural dimensions of sex, human sexuality and behaviour and her exploration of the ‘erotic pyramid’ (Rubin 1999: 279) theorized the socially constructed hierarchies of sexualities. I was particularly moved by the phenomenon of ‘sexual refugees’ and thus sparked my interest to explore how heteronormativity, heterosexism and homophobia across the African continent and how it is contributing to a growing population of sexual refugees in South Africa.

It is important to note that there were two beginnings in this research project. In 2010, I embarked on a pilot study, exploring the lives of three sexual refugees: A lesbian woman from Uganda, a gay man from Rwanda and a transgender woman from Zimbabwe. The pilot phase was about ‘storytelling’ and connecting the melodies of people’s stories in the form of a thematic analysis around constructions of homophobia, the meaning of the “city” of Cape Town as a space and understanding interlocking systems of marginalization. I took on the coloration of my participants’ stories of refugee-hood, trying to paint the pictures of victims of hegemonic, heterosexist and masculinist condemnation without realizing that I shaded over key information that was left untapped. I originally thought my interview questions were broad and open ended, allowing my participants to fill in their life story with little bias. However, I had fallen prey to the re-traumatisation of these individuals

simply by inviting them to remember traumatic events and experiences in their lives. A cloud of guilt and trauma began to suffocate me. The year proved to be much more emotionally difficult than what I had expected. After finally completing the pilot phase and letting the research sit for a few months, I re-entered the research space and questioned the methodologies and biases I employed during the first phase. Over time, I became friends with these individuals and I became aware that their life stories could not be belittled to just isolated traumatic events. The relationships I created taught me about the complex nuances of lived realities and histories/herstories. Because of this realization, a critical shift in thinking and re-evaluation of this project occurred.

The second year of this project crawled in the beginning. Feeling somewhat paralyzed from the previous year, I had fears of jumping back into a sea of excruciatingly vulnerable realities that soaked my being with conflicting emotions from the previous year - grief, empathy, anger, compassion, guilt, pain. These highly charged emotions came in waves of varying degrees of severity during course of the pilot phase. I took a break. I surrounded myself with music, rhythm and incredibly creative, people. I vigorously sought after positive, enlightening and personal transformation books and as I turned the final page of Benjamin and Rosamund Zander's book, "The Art of Possibility", a paradigm shift occurred in my thinking. I opened that seemingly dormant 'Masters' folder on my computer and a new beginning blossomed.

I began putting everything into a bigger-picture framework, where the deeper meanings of my research became more clearly understood and defined. I was in a creative recovery stage. I felt that focusing solely on the plight of sexual refugees and the human rights abuses only reinforced the negative spiral of thinking which contributed to the emotional trauma of the participants and influenced my own frustrations as the researcher and activist. I needed to find a balance where stories can be polyvocal and highlight the realities, which are full of atrocious abuses and vulnerabilities. Yet at the same time, I observed outside of the interview, many other experiences emerged. I no longer sought to analyse from a single lens under this microscope. Instead, like a kaleidoscope that shifts identical pieces of glass into different patterns, I changed the scene before my eyes with just the slightest nudge to the frame.

## Scope of the Research

*"It's Impossible" says pride.  
"It's risky" said experience,  
"It's pointless" said reason"  
"Give it a try" whispered the heart"*  
Anonymous

The purpose of this dissertation is to examine how sexual rights discourse has informed the perceptions, recollections and representations of refugee-hood for five LGBTI refugees in Cape Town. I explore the deictic meanings of which the participant's conditions of being a sexual refugee are understood and constructed in relation to identity, citizenship, safe spaces as well as freedom, possibility and agency. I argue that hegemonic heteronormativity reproduces and constructs notions of gendered and sexual identities, thus informing dominant culture's portrayal of accepted sexual "norms". I explore these norms to understand the relationship between the individual and society and how spaces are shaped and re-made based on these sets of dynamic and ever changing interactions.

This study engages a debate within queer theory that centres on the constructions of sexual rights discourse and the constructions of hierarchical sexual identities, which inevitably influences the beliefs and behaviour of LGBTI sexual refugees in Cape Town. I explore the narratives of five refugees, both thematically and ethnographically, and seek to understand how their performances of gender and sexual identities play out among the heteronormative and masculinist cultures that exist in South Africa. I then show how these performances inevitably shape the thoughts and beliefs of each of participant, including self worth and value. I investigate the ways in which these refugees negotiate hope, agency and freedom for themselves in this "space" and environment in Cape Town. I attempt to use two lenses for my analysis. Firstly, I employ a post-structuralist queer analysis around the constructions of identities and sexual rights discourse as it pertains to LGBTI individuals' sense of self and negotiation of safe space in Cape Town. Secondly, I utilize ethnographic theories and narrative inquiry methodologies to provide a new lens in understanding how one has the ability to shift from a negative situation towards looking at competencies, positivity and possibilities. I explore how perceptions of self and safe space radically change from one of victimhood to one as survivor through this process, which often is observed outside when the Dictaphone was off. Michael Hoyt explains, "How individuals 'story' their

experience does much to determine what they see and what they do and what they get. And if you are not seeing something helpful, get some new glasses....” (Hoyt 2000: xi).

The first chapter begins by presenting a contextual background to the reader focusing on realities of LGBTI refugees both in South Africa and across the continent of Africa and abroad. I briefly explore the emerging global discourse on LGBTI refugees, including an outline of international laws that affect sexual minorities and LGBTI refugees worldwide. Country-specific cases of human rights abuses and changing legislation concerning LGBTI individuals are highlighted to give an overview of what the situation is like globally from sources such as Human Rights Watch, Amnesty International and the International Gay and Lesbian Human Rights Commission (IGLHRC).

Chapter 2 presents my theoretical framework for this project. I present an overarching discourse on sexual rights theory and constructions of identity through the performance of gender. I sought African feminist scholarship and queer theorists to understand social constructions around gender as a performance. Using predominantly Judith Butler’s queer theory of gender as a performance, I will show how perpetuated performative acts create a certain form of binding power, which then informs the greater social network ideas of gender discourse. I am particularly interested in the theoretical apparatus that account for how sexuality is regulated through the policing and shaming of gender (Butler 1993: 27) and how that influences sexual refugees’ perceptions of their identity, their rights and their agency within Cape Town. As Butler explains, “Freedom, possibility and agency do not have an abstract or pre-social status, but are always negotiated within a matrix of power” (Butler 1993: 22). I am therefore interested in presenting the theories of how power shapes identities of sexual refugee-hood but also how these individuals find hope and agency within this matrix of power. Using the view of performativity implies that discourse has a history that not only precedes but also conditions its contemporary usages (Butler 1993:19).

Chapter 3 outlines the methodologies of my research. I begin by presenting critical theoretical and methodological insights that formed the building blocks of this project. I first outline narrative inquiry approaches and the use of narrative constructions when working with individuals who have experienced traumatic events in their lives. I then discuss the importance of using a feminist qualitative research methodology within this study and its implications on the results. I end by illustrating the need to employ various ethnographic

methodologies throughout this two-year journey, as it was important to highlight the nuances and alternative realities of the sexual refugees besides the one I record through interviews. This chapter highlights the linkages of the methodologies I chose and demonstrates how and why these approaches were important for this particular project. Following these insights, I then proceed to outline for the reader, the research questions used, my own positionality within the research, the description of the participants and the data collection methodologies. I end with a critique on the limitations and ethics of the project.

Chapter 4 presents my data analysis. I first offer insights on my pilot study analysis and its implications in the research process. I then present my first and second level analysis by sub-dividing and thematizing the transcripts and field notes, noticing the clearly present conventional heteronormative binary of sex, sexuality and gender. I present the patterns that emerge through various levels of analysis as I deconstruct and reconstruct traditional heteronormative binaries and socially produced categories. Using a queer analysis, I consider how other variables and external factors influence and shape sexual identities, which then validate reinforce and ultimately reproduce these sets of norms. I explore categories that are socially produced and the inter-sectionality this has on identity and body politics – such as race, class, ethnicity, culture, history, socio-economic status.

The last section of my data analysis presents ethnographic reflections. To reach the completion of this thesis has been a long time coming as if it was patiently waiting for my arrival at the center of this labyrinth. Just as labyrinths have dead ends, my journey led me to roadblocks, where I needed to stop, rethink and go back to the drawing board. My note pad of maps and scribbles will forever remind me of what seemed almost impossible in the beginning but now, having reached the end, has been a gratifying experience. I therefore felt it was necessary to shed some light to the ethnographic experiences that enriched this academic and personal journey.

Chapter Five concludes with my final thoughts of the research and summarized conclusions from the Masters process.

## Contextual Background

*"If a story is in you, it has got to come out" ~ William Faulkner*

The word context literally means to weave together, to twine, to connect (Personal Narratives Group 1989:19). Context is not a script. It is a dynamic process through which the individual simultaneously shapes -- and is shaped -- by her environment (Personal Narratives Group 1989: 19). This section is an important one because it contains rich information and frame of reference for the reader to make sense of the realities of where the individuals presented in my study come from. The larger social structural forces and factors have a significant influence on the lives of the LGBTI community, especially as historical moments illustrated here shape the lives of individuals and how they understand their world. Context plays an essential role in grounding and validating the interpretation of personal narratives (Personal Narratives Group 1989: 23). They also help us understand the ways that context shapes a life story and to see the interplay between context and narrative form (Personal Narratives Group 1989: 102).

Homosexuality is illegal in the majority of African countries and because of that many LGBTI groups and organizations interact via the internet. For this contextual background, I utilize many online sources such as LGBT Asylum News Daily tweets on refugee and asylum seekers worldwide, reports from the International Gay and Lesbian Human Rights Commission (IGLHRC), OUT, None on Record, Human Rights Watch, Amnesty International, Behind the Mask, and [africafiles.org](http://africafiles.org). I also present the legal human rights doctrine and Yogyakarta Principles and the way human rights discourse is affecting the treatment of LGBTI individuals both in South Africa and abroad.

On March 22, 2011, delegates from 85 countries came together at the United Nations Human Rights Council in Geneva and signed a joint statement entitled, "Ending Acts of Violence and related Human Rights Violations based on Sexual Orientation and Gender Identity" (<http://www.state.gov/r/pa/prs/ps/2011/03/158847.htm>). Twenty new countries were among the signatories, which not only exemplify a growing solidarity on Lesbian Gay Bisexual Transgender and Intersexed (LGBTI) issues globally, but also suggest that more countries are taking LGBTI human rights seriously. The 2011 statement acknowledges the increased amount of human rights violations aimed at the LGBTI community worldwide and calls for states to end criminal sanctions based on LGBTI status. Among the signatories, 21

were from the Western Hemisphere, 43 from Europe, five from Africa and 16 from the Asia/Pacific region (Ibid). While this International Statement is a significant step forward for LGBTI rights the meeting in Geneva also was a met with strong opposition. The majority of African nations and countries from the Middle East have not signed the UN statement. The African group spokesperson, Mr. Ositadinma Asneudu from Nigeria explains his reluctance to sign the statement was because of the ambiguity and undefined concepts of “sexual orientation” and “gender identity” within International Human Rights System. He also states that most African countries do not have the legal systems where such concepts are clearly defined, nor have they adopted any administrative, legislative, and judicial measurements criminalizing discrimination on these concepts, (transcript African statement africanactivist.org). Mr. Asneudu continues by saying, “The concept here has clarity in the sense that we do not want any discrimination against anybody under any condition whether sexual or otherwise, but, we have to state clearly and forcefully that this concept stands against everything we stand for in Africa” (transcript African statement). The Kenyan Human Rights Commission officer Eric Gitari says, “What these people need to understand is that when one group of people is targeted by authoritarian violators or rights, it becomes a chain. Human rights are interrelated, interdependent and indivisible. You cannot grant a homosexual the right to live in this country when you are denying them the right to dignity” (Weighton 2010).

According to the May 2010 report from the International *Lesbian, Gay, Bisexual, Trans and Intersex Association*, political and state sponsored homophobia across Africa has been on the increase in the last decade (Ottosson 2010:7). This report indicates that life for LGBTI individuals has gone from bad to worse. Thirty-eight countries within Africa still criminalize homosexuality (Ottosson 2010:7). Sudan, Mauritania, as well as parts of Nigeria and Somalia persecute same-sex relationships using the death penalty (Ottosson 2010). Of the remaining thirty-four countries, seven sentence eleven years to life in prison, seventeen sentence up to ten years in prison and the remaining have some level of imprisonment with no particular specification of the longevity (Ottosson 2010). Even though five countries -- Seychelles, Sierra Leone, South Africa, Rwanda and Central African Republic -- signed the UN statement to end discrimination against homosexuality in Geneva in March 2011, South Africa remains the only country on the continent that has in place both laws to protect sexual minorities, same-sex relationships and also recognizes same-sex marriages. Cape

Verde, Mauritius, Gabon and Sao Tome and Principe were signatories for the 2008 statement but have yet to re-sign the 2011 statement while none of these countries have openly changed their laws to include rights of sexual minorities (IGLHRC). After years of deteriorating situations for LGBTI individuals in Malawi, however, there is new hope. Recently in May 2012, Malawi's new President Joyce Banda publicly announced her intention to decriminalize sodomy and the international human rights bodies are now watching closely for updates in the country. Kenya also offers promising hope for changing legislation in the coming year.

Every small step forward brings waves of backlash and homophobia across dozens of African countries. Zimbabwean President Mugabe and his wife continue to spew homophobic slander accusing homosexual behaviour as being "taboo and satanic" (igla.org) and while Mugabe's government hails propaganda across the country, the lives of LGBTI individuals are threatened. In May 2010, and more recently in August 2012, police raided the offices of the Zimbabwean Gay and Lesbian Association of Zimbabwe (GALZ) and the staff were beaten and tortured while in police custody (igla.org). The former President of Nigeria has recently declared that homosexuality is "unbiblical", "unnatural," and definitely "un-African" (igla.org). Following this declaration, a Nigerian national newspaper headline read "Homosexuals: Chasing the outcasts out of town" (igla.org). Rwanda, Cameroon and Senegal all saw arbitrary arrests of gay and lesbian individuals, and according to Amnesty International and Human Rights Watch some were badly tortured after their arrests (igla.org). Before President Banda came into office, Malawian courts sentenced a gay couple to fourteen years in prison for announcing their engagement. However, after a long protest battle from the international community, UN officials met with President Bingu wa Mutharika and Mutharika ordered the release of the men on humanitarian grounds (igla.org). A headline which followed their release, "Steven and Tiwonge could be rearrested if they continue loving each other" (igla.org). The government and courts in Malawi stated that despite the two men's pardon, it does not change the fact that homosexuality is still illegal in the country. After the sudden death of Mutharika in early 2012, Malawi's new President Joyce Banda has begun to dismantle the criminal sanctions against sexual minorities. Burundi, Kenya and Uganda continue to witness furore from religious leaders and religious institutions denouncing homosexuality and vowing never to accept it. Although these stories only touch the surface of the situations on the ground, it is



obvious that homophobia exists with extreme pernicious intensity and creates extremely virulent and hostile living conditions for LGBTI people. A media columnist in Zimbabwe writes, "We, the people of Zimbabwe abhor gays and lesbians. We loathe them in the deepest sense of the word. Yes, we cannot legalize homosexuality and those who do not agree with us must leave Zimbabwe aboard the next flight from the Harare International Airport! Got it, leave this country, leave now!" (Human Rights Watch/ ILGHRC 2010: 58).

In South Africa, dozens of "corrective" rape cases against lesbians are constantly reported. In the final week of writing this thesis, two more lesbian women were brutally raped and murdered in different parts of the country. Last year, I followed the story of a lesbian couple callously murdered by supposed friends in Soweto (igla.org). In Cape Town, lesbian women are raped every week and the violence towards LGBTI minorities continues to wage war on the streets of the mother city. In an interview with the Triangle Project, I was told that lesbian killers in Cape Town mysteriously escaped prison and have yet to be incarcerated once again (igla.org, Interview Triangle Project 2010).

Alok Gupta from the *Human Rights Watch* wrote a report called "This Alien Legacy: The origins of 'sodomy' in British Colonialism". This article poignantly demonstrates how historically homophobia was a concept created and enforced through colonialism and as Gupta referred to it, it was "an abhorrent alien legacy" that should have left so many countries' political, legal and social institutions after the transition of independence from the British. Using Gupta illustrates through Asian, African and South American case studies how so much of the homophobia existing today is a result of historical colonial legacies. Homogenous, British Judeo-Christian values re-shaped cultures and sexualities as a means of colonial control. The result could bring about European morality to the "native" cultures that were "perverse" (Gupta 2008: 8). Gupta later explains that more than 80 countries around the world still criminalize consensual homosexual conduct between adult men and often adult women and more than half of those countries were all once British colonies (Gupta 2008: 8). The influence of the British Empire was profound and the laws created made their culture and religious beliefs hegemonic. The laws relegate people to inferior status based on how they look or whom they love while reducing their intimate feelings to an "unnatural" and illegal behaviour. Through this enforcement on homophobia, it allowed police and the legal systems across the world -- South Africa included -- to have power to arrest, blackmail and abuse any homosexual individual and caused people to be driven

underground to live in invisibility and fear (Gupta 2008: 9). Mikki Van Zyl supports Gupta's historical evidence and states that, "Current historiography of sexual practices in Africa (see Epprecht 2004; Morgan & Wieringa 2005; Murray & Roscoe 2001) indicates that homophobia – as discrimination and othering – not homosexuality – as same-sex practices – was a colonial import." (Van Zyl 2009: 6).

Daniel Ottosson's 2010 report on *State-Sponsored Homophobia in Africa* outlines each African country's legislation that criminalizes consensual sexual acts between persons of the same sex in private, above-the-age consent. Most laws, as he explains, do not use the term homosexuality but "unnatural offenses", "acts against nature" or "unnatural carnal offenses" (Ottosson 2010). Nature is therefore constructed as static and existing in a sole vacuum binary of male and female with an extremely heteronormative lens. Gayle Rubin warns, "It is precisely at times such as these, when we live with the possibility of unthinkable destruction, that people are likely to become dangerously crazy about sexuality. Contemporary conflicts over sexual values and erotic conduct have much in common with religious disputes of earlier centuries, they acquire immense symbolic weight" (Rubin 1999:276).

Because of noxious homophobic and transphobic conditions inflicted upon sexually marginalized groups, a phenomenon is occurring across Africa whereby many of these individuals are forced into asylum in countries abroad as 'sexual refugees.' The South African Refugee Act 130 of 1998 grants refugee status based on the fear of persecution of belonging to a particular social group, which could include one's sexual orientation (Refugee Act 130). South Africa is the only African country which has enacted a legislation recognizing persecution of gender identities and sexualities backed by its highest law in the Constitution, guaranteeing a collection of enumerated rights and basic constitutional values of human dignity (Isaak 2009: 1). As a result, many citizens from all across Africa make their way to South Africa in hopes of finding a less homophobic safe living space.

## A Glimpse of LGBTI Asylum World Wide:

Over the past two years, I subscribed to *LGBT Asylum News* and followed daily tweets, newsletters and Facebook group networks to stay informed on this issue. It became clear that LGBTI individuals continue to face persecution because of their sexual orientation in the most vehement of ways. Of the 76 countries that still persecute individuals for sexual orientation, the Middle East and Muslim region remains one of the most deadly places. According to *LGBT Asylum News*, Iran will permit any Islamic judge sentence LGBTI individuals to death. In Mauritania and Yemen, citizens will kill any homosexual or sexually deviant person by public stoning. In Saudi Arabia as well as parts of Nigeria and Somalia, the government kills individuals based on their interpretation of Sharia law. Sudan also punishes homosexuality by death penalty while Iraq has groups of rogue militias who hunt, torture and kill LGBTI persons (Joseph Ward 2010). In a 2009 *Human Rights Watch* report, “They Want Us Exterminated”, human rights activists document the violence and shocking human rights abuses carried out by rogue militias in Iraq. The following is an excerpt from a personal testimony in Iraq:

*“It was late one night in early April, and they came to take my partner at his parents’ home. Four armed men barged into the house, masked and wearing black. They asked for him by name; they insulted him and took him in front of his parents. All that, I heard about later from his family. He was found in the neighborhood the day after. They had thrown his corpse in the garbage. His genitals were cut off and a piece of his throat was ripped out. Since then, I’ve been unable to speak properly. I feel as if my life is pointless now. I don’t have friends other than those you see; for years it has just been my boyfriend and myself in that little bubble, by ourselves. I have no family now—I cannot go back to them. I have a death warrant on me. I feel the best thing to do is just to kill myself. In Iraq, murderers and thieves are respected more than gay people. Their measuring rod to judge people is who they have sex with. It is not by their conscience, it is not by their conduct or their values, it is who they have sex with. The cheapest thing in Iraq is a human being, a human life. It is cheaper than an animal, than a pair of used-up batteries you buy on the street. Especially people like us”. (Human Rights Watch Report, They Want Us Exterminated 2009: 1)*

Killing spree such as this one have been documented over the past two years in Iraq with a radically new level of intensity and because police refuse to investigate the murders or document the reasons behind the killings. The number of people thought dead could be in the hundreds. *Human Rights Watch* has noted that it is not uncommon in cities such as

Kirkuk, Najaf, Basra, and Bagdad for bodies hung and mutilated in public as a warning to any gay or effeminate men (Human Rights Watch Report 2009: 2). Militia attacks on men who look “effeminate” or who are shadowed by the suspicion of engaging in same-sex relations have been rampant this year. These militia groups have become a “monitory public purpose”: to enforce “morality”, or a brutal perversion of it, through murder (*Human Rights Watch: They Want us Exterminated*, 2009:15). In Iraq, the murders of gay men have become perverse in their methods. Doctors report that one of the most common tortures inflicted on gay men is to inject glue into the anus. The militia then give a strong laxative causing diarrhoea to kill the victims (*Human Rights Watch, They want us Exterminated* 2009:23).

Perhaps most disturbing is the level of publicity and impunity the campaign has across so many regions of Iraq. *LGBTI Asylum News* and *Human Rights Watch* document videos that continuously circulate via Bluetooth across mobile phone networks. The videos display masked militia torturing and murdering gay men as people watch bodies being mutilated, castrated, broken and thrown into garbage cans or hung off buildings. One man reported, “It is a slaughterhouse on the streets” (*Human Rights Watch: They want us Exterminated*: 24).

In neighbouring Iran, similar acts of violence aimed at sexual minorities sweep the country. *Human Rights Watch* published a report in 2010 entitled “We are a Buried Generation” which states Iran is world renowned for the large numbers of forced sexual reassignment surgeries on gay Iranians as a way to erase the “stain” of homosexuality. Gay men can be legal ‘women’ under Iranian law (Human Rights Watch *We are a buried Generation*: 2010: 8). Any man suspected of being gay can be arbitrarily detained, tortured and killed. *Human Rights Watch* documents cases in which security forces raid homes and monitor internet sites for the purpose of detaining people they suspect of engaging in non-conforming sexual conduct of gender expression (*Human Rights Watch, We are a buried Generation* 2010: 9). The obsessive nature of gender non-conformity within these regions is astonishingly volatile and is significant in the discussion of LGBTI constructions of self in sexual and gender rights and discourse.

Reading the emerging literature and discourse on LGBTI refugees, there appears to be a wider range that document and highlight the human rights abuses like illustrated above, the appalling violence and torture that many sexual minorities face in countries across the world. It’s clear that blaming the West for the importation of homosexuality is

commonly spewed out by religious leaders, government officials and homophobic citizens. The creation of the binary “West” and “us” has maintained an individualistic heightened sense of nationalism and citizenship separate and apart from that of the West and their “corrupted” values. Instead of seeing LGBTI rights as human rights, homophobia continues to dwell on the notion that homosexuality is “foreign,” “un-African” and “alien,” furthering the cause to get “rid of” such behaviour within a country. Judith Butler explains the phenomenon, “If there is a network of individuals dispersed around the globe, there must be a leader, a subject who is responsible for what others do” (Butler 2006: 5). This far-reaching myth has a large constituency following, the West being the “subject” who is blamed for spreading homosexuality to the rest of the world. Therefore, we see a growing wave of conservative fundamentalist backlash as is the case in Iraq and Iran where ruthless militias and groups have made “reinstating morality” their primary objective.

On the African continent, a report published by the International Gay and Lesbian Human Rights Commission titled, “Nowhere to turn, Blackmail and Extortion of LGBT people in Sub-Saharan Africa” states there is an alarming development with a website launched in the United States. It collaborated with Kenyans called “Project S.E.E.” (Stop Exporting Evil) which publicly targets human rights defenders of LGBTI individuals in the country giving out individuals photographs and contact details and encourages visitors to the website to print off the pictures and spread them around to remove these individuals from society (Thoreson 2011: 4). Project S.E.E. believes that the United States is to blame for exporting homosexuality to Africa and although they wish to abolish it within their own country, they advocate to block all further forms of “exportation” to Africa by getting rid of the LGBTI activists on the continent. Project S.E.E. dramatically increases the visibility of LGBTI activists and the life-threatening risk they will face at the hands of vigilantes (Thoreson 2011: 4).

There are other Anti-American Anti-gay movements making their way into Africa. In March 2010, three American evangelical Christians, whose teachings discuss the “curing” of homosexuals arrived in Uganda to give a series of talks and presentations over three days. According to local newspapers, these individuals presented thousands of Ugandans with the self-title of “experts on homosexuality,” that “gay people can be made straight, how gay men often sodomize teenage boys and how the gay movement is an evil institution whose goal is to defeat the marriage-based society and replace it with a culture of sexual promiscuity” (Gettleman 2010). The myths and widespread homophobic slander within

Uganda make life for LGBTI individuals a matter of life or death. In October 2010, a popular Ugandan newspaper published a list of the 'top' 100 gay and lesbian people in the country along with their pictures and a heading that stated, "Hang them!" (Karimi 2010). Douglas Janoff compared the severity of this level of homophobia to Nazi Germany when the "pink lists" were drafted and over 50,000 homosexuals were rounded up, arrested and detained in Nazi camps, with thousands of them dying (Janoff 2005: 37). Among the list of published photos in the Ugandan newspaper was the profile of David Kato, a well-known LGBTI activist in Uganda. In January 2011, Kato was found dead, beaten to death with a hammer, just shy of three months after the infamous headline. Police in Uganda refuse to acknowledge the murder as a hate crime and instead are quick to describe the motive as a robbery (Gettleman 2011).

Jenni Millbank conducted a study comparing the success rates of refugee claims in Canada and Australia for LGBTI refugees. From the cases she studies, refugees typically had better chances of securing refugee status from Canada with a 54% success rate as opposed to Australia's 22% (Millbank 2002: 148). In her report, Millbank criticizes Australia's Refugee Review Tribunal for their cut and paste, boilerplate method of writing decisions compared to Canada's concise personalized method (Millbank 2002: 148). A challenge remains, though, across countries who accept refugees based on sexual orientation of needing to "prove" one's "gayness". Both LGBT Asylum news and IGLHRC repeatedly report on individuals needing to present evidence of their sexuality to the standards expected of a refugee officer. For example, Canada rejected a Colombian man because he did not seem "overtly gay," as well as a Mexican for not being "overtly effeminate" (Millbank 2002). *LGBT Asylum News* reported complications in Paris by sexual refugees needing to provide physical evidence to French officials. Coupled with language barriers, refugees are continuously deported back to their countries of danger. In one case, officials told an Iranian man to go back to Iran because he will not face persecution as long as the authorities do not know about it (LGBT Asylum News Feb 2011). It is important when considering the context of LGBTI asylum to understand how a norm of invisibility is also commonly perpetuated worldwide. Millbank says that decision makers often refuse to accept persecution because country specific information on LGBTI persecution is so scant (Millbank 2005:120).

## Contextual Realities of Sexual Refugees in Cape Town

As a regional application of the UN Refugee Convention of 1951, an Organization of African Unity (OAU) refugee convention was adopted in 1969, extending the definition of a refugee to include not only the “well-founded fear of being a persecuted group.” It also stated that the definition should apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality” (OAU 1969). Refugees are categorized under international migration (Stalker 2008) however, as explained by UNHCR (2010) and Agaze (2003), refugees and migrants are different from one another and should not be used as interchangeable terms. A report from the Consortium of Refugees and Migrants in South Africa (CoRMSA) explains that while South Africa offers the prospects of protection and jobs to migrants, neither is guaranteed (CoRMSA 2009: 29). According to the UNHCR handbook, every refugee has the right to safe asylum (UNHCR 2010) and having ‘refugee status’ means that under the South African government, these individuals would have protection by the State, most of the same rights as South African citizens -- except the right to vote -- and cannot be forced to return home until it’s deemed safe (cormsa.org). In 1993, South Africa signed an agreement with UNHCR agreeing to establish an office and to create procedures for determining refugee status and to grant asylum to certain refugees. In October 1994, South Africa became the 53<sup>rd</sup> member of the Organization for African Unity and in 1996 signed the convention of 1951 and the 1969 protocol relating to the status of refugees (Crush 1998:126).

In March 2011, South Africa’s National Assembly passed an Immigration Amendment Bill despite a lot of opposition. According to *LGBT Asylum News*, asylum seekers have 14 days after entering the country to attend a refugee reception and make a formal application for asylum. But this new Bill has reduced the time to five days (IRINnews 9 April 2011), which not only puts additional pressure on the overburdened and poorly organized refugee boarder offices. Many refugees may not have the resources, the time or the ability to go to the refugee reception during that period. Crossing the South African border as a refugee is already traumatic, and for many sexual refugees, LGBTI individuals need time to collect enough evidence to show why they are seeking asylum. Although the Bill still needs to pass

through the National Council of Provinces to become law, UNHCR expressed concern of this development by the South African government as it could result in unnecessary penalties, detention or deportation of individuals who cannot obtain their paperwork in that timeframe. Based on the UNHCR's 2009 South Africa Country report, there is a backlog of 227,125 asylum and refugee applications pending from the end of 2008 (UNHCR country report 2009). As a refugee coming into South Africa, thousands of individuals face the reality of rejection and deportation while back to situations of danger. With the passing of this new Bill, the numbers of individuals rejected could significantly increase and cause greater problems at South Africa's borders. CoRMSA reported that because of a combination of poor training and performance, understaffing and unrealistic performance targets with the refugee reception system in South Africa, many legitimate asylum seekers are being rejected, which also contributes to the enormous number of appeals and backlog (CoRMSA 2009:31). Both UNHCR and CoRMSA discuss the protocols that should be in place in South Africa. Legally, all refugees should have the same basic civil rights, including the freedom of thought, movement and freedom from torture and degrading treatment. Similarly, economic and social rights should also apply to refugees and therefore every refugee should have access to medical care, the right to work and refugee children should not be deprived of an education (UNHRC Handbook).

The major law governing refugee affairs and other non-citizens with regard to their entry into and entitlement to remain in South Africa has been the Aliens Control Act, 1991 (Act No 96) which was amended in 2008 to the Refugee Amendment Act 33. (Agaze 2003:24, Isaack 2009:1). The Aliens Control Act was not drafted with refugees and asylum seekers in mind and no mention is made of terms such as 'refugees' or 'asylum' but rather these individuals are dealt with under a class of "prohibited persons" (Agaze 2003:24). It would therefore be easy to imagine, as Agaze said, that trying to get a job as a refugee with a valid permit written in black and white "prohibited person" at the top of the page would be highly unlikely (2003:24). In 2008, the government of South Africa added the Refugee Amendment Act 33 which edicts policy legislation designed for maximum protection of both documented and undocumented migrants (Isaack 2009:2).

In South Africa, the Section 22 permit grants asylum seekers a temporary permit to allow the same privileges of South Africans -- except the right to vote. -- Section 22 permit is valid only for three months and must be renewed each time until the refugee papers have



been finalized (cormsa.org). With long queues outside the refugee reception offices, it creates a huge inconvenience for many refugees. This coupled with lack of proper documentation and challenges in running the offices restricts refugees from attaining decent jobs. Also, as Amisi mentioned, many professional refugees with degrees in medicine or economics etc. are forced to carry out entry-level jobs because of documentation restrictions (Amisi 2010: 13). In terms of a humanitarian issue, refugees continue to lack access to proper health care, food, water and suitable-living conditions (See *Human Rights Watch* report, 2010, UNHCR Country report, 2009). As Isaack explained, many foreign lesbian and gay people living in this country continue to be caught in the spiral of poverty, powerlessness, routine victimization and institutional failures exacerbating discrimination on the basis of their real, or perceived, sexual orientation and/or gender identity (Isaack 2009:6).

Anti-immigration groups also are a threat to migrants coming into South Africa. The 2008 xenophobic attacks saw 135 violent incidents reported in one month, which left 62 people dead, 670-plus wounded, dozens raped, more than 100,000 displaced, and millions of rand in property damage appropriated by local residents (CoRMSA 2010: 41). What is immeasurable is the trauma suffered by foreigners in South Africa. Some lost all they had and were uprooted for a second time. Amisi writes that it is mostly in the poor black communities where xenophobic attacks are perpetrated and where a lot of tension exists. Amisi claims it might be more apt to term the type of xenophobia prevalent in South Africa as “black-poor-phobia” (Amisi 2010:8). Wealthier immigrants, who could afford proper housing and security and had money, were not as threatened by the xenophobia. With the very real danger of more xenophobic attacks, many refugees, including the LGBTI immigrants are working on creating safer spaces and networks for themselves, which also include alert systems put in place to guard against attacks. Amisi argues that the “historical influx of migrants to South Africa has created a high proportion of right-less non-citizens, despite their length of residence, which sometimes spans generations. Outsider-ness and rightless-ness translate into a lack of policy to efficiently deal with migrant-related issues and the lack of public awareness of migrants’ rights. This results in the rise of migrant civil society organizations, which must deal with xenophobic violence and strive to be agents for positive change (Amisi 2010: 11).

A key note of relevance is that statistics are not available on how many refugees seek asylum based on sexual orientation in South Africa. Furthermore, UNHCR does not have any particular programs that recognize the need to focus on the specific vulnerability of LGBTI refugees in South Africa although with pressure from IGLHRC South Africa, talks within UNHCR have begun to take place (Interview IGLHRC 2010). With the lack of proper documentation by immigration offices, humanitarian organizations and legal and political institutions within South Africa, it is clear that the needs for LGBTI refugees are often invisible and overlooked as a particular “grouping.” It is well-documented that refugees suffer tremendous challenges in their migration to a new country (see UNHCR, CoRMSA, International Organization for Migration, Amisi 2010, Stalker 2008, Ocho and Crush 2001, Vale 2002 and ORAM.org). These problems include the adjustment to a new community, poor housing, language barriers, cultural differences and beliefs, marginalization, lack of health care, proper education, lack of government support services, low-social status, economic struggles, violence, racism and xenophobia to name a few. LGBTI refugees suffer even greater discrimination not only experiencing some of the above-mentioned challenges but also on deeply rooted homophobic societal beliefs, which has resulted in greater trauma.

As a “space”, Cape Town is battling with difficult realities of class, cultural, and racial groups integrating with one another in this post Apartheid era. As Tucker states, so much of South Africa’s past is based on different community’s perceptions of themselves in relation to ‘other,’ often neighbouring communities. The same is true for queer communities. (Tucker 2009:3) Historically, the Abolition of Passes and Coordination of Documents Act (No. 67 1952), better known as the Natives Act prohibited the urbanization of black Africans which created the city spaces as a “whites only” space, a structurally manifested racially hostile attitude (Ratele 2009: 291). Refugees coming into Cape Town are now being exposed to rooted racial hatred and discrimination, which affects their adjustment and experiences in the country. Not only are they then discriminated by their race and class but now a triple oppression, their sexuality. Tucker explains, “Homophobia runs the risk of becoming a violent and sometimes deadly outcome of fear and prejudice” (Tucker 2009:199). Tucker maintains that despite the homophobic backlash experienced by gay communities in Cape Town, the LGBTI movement has been very resourceful and resilient. However, with the aftermath of Apartheid, LGBTI communities are still predominantly spatially segregated by

race and class which creates social, cultural and political dynamics playing themselves out amongst these groups (Tucker 2009: 199). This also means that discrimination against LGBTI in Cape Town because of the group's 'sexual desires' is also fuelled by discrimination on their particular race group. The construction of safe spaces is therefore done along racial lines, where the 'black,' 'white' and 'colored' LGBTI communities have maintained the apartheid racial segregations with some exceptions. As Tucker explains, race is the marker that informs how groups are willing (or not) to work well with each other (Tucker: 2009:201).

The oppression inflicted by the Apartheid era in South Africa has presented a lasting imprint on attitudes and beliefs around race, class and sexuality/identity in this country. Apartheid was successful because it used the "divide and conquer" strategy. By racially segregating a country and spatially separating its citizens between white, black and colored groups, it creates the idea that the country could only live harmoniously if kept apart from each other (Tucker 2009: 102). Today in the post-Apartheid state, dismantling communities and racial segregation has not happened as much as previously expected. Communities are still largely separated by race and class, with only a few exceptions. This can still be seen even in the gay communities where urban areas in Cape Town are predominantly white and the black while colored areas are on the outskirts of the city.

Heterosexism and homophobia are very real barriers to peace and stability within South Africa. Prejudice in South Africa has a long history but the reality is that in many cases, prejudice remains unaddressed. Racism, xenophobia, sexism, homophobia, anti-Semitism and Islamophobia continue to undermine social cohesion in South Africa and there are no clear strategies to address them. (CoRMSA Hate Crimes Report 2009). As is explained by Mkhize et al., heterosexuality has created what is understood as "normal" within South Africa and as a result heteronormativity informs the range of attitudes and beliefs in the country which can be shaped in many different ways in varying degrees. For example, "homophobic activity can find its way into many benign articulations, jokes, caricatures, assumptions about gay and lesbian's dress or behaviours, exclusions, teasing, sensationalisation of sexual activity, the conflation of lesbian and gay identity with ideas of their sexual desire, and so on (Mkhize et al: 2010: 19)." This level of homophobia, which may not fuel violence or hate crimes per se, still contributes to a culture of revulsion towards LGBTI individuals and can lead to over-demonization of sexual minorities.

In South Africa, little is done within the police structures to set precedents against homophobia, hate crimes and violence against LGBTI individuals. The challenge in addressing LGBTI hate crimes is the invisibility, underreporting and conflicting definitions of the crimes. Police often cannot prove “hate” and because of fear for further stigma or abuse, victims often will avoid reporting the crimes against them. Legal procedures in South Africa have many loopholes and cases involving hate-crimes, especially towards the LGBTI community, can take years, even decades to prosecute (Discussion with Jill Henderson, Triangle Project). The weakness of the criminal justice system in South Africa is granting impunity to perpetrators, which essentially condones this kind of human rights violations and abuses.

The severity of homophobia on the African continent is virulent. The report by IGLHRC states that nowhere is really safe in Africa (HRW/IGLHRC 2010:153). The report shows that intolerance of government erodes the basic human rights of its citizens, which lead to further persecution and violence. Public vilification by government leaders usually triggers social unrest and increased numbers of homophobic backlashes and police carry out official crackdowns where people are detained, tortured or abused by prison guards (HRW/IGLHRC 2). Mikki Van Zyl explains, it becomes a human security issue if a citizen is not equally recognized as the dominant group, it puts them at risk of violence or stigmatization and therefore whether an individual feels safe is related to belonging in part of a social network that is accepting (Van Zyl, M. 2004: 229). The single most common condemnation LGBTI people hear is that homosexuality is “un-African,” which has powerful repercussions for LGBTI activism on the continent (IGLHRC 2010). Amnesty International in its report *Crime of Hate, Conspiracy of Silence* recognized that,

“Lesbian and gay people have been seen as threatening the social order; women seeking to exercise autonomy over their bodies; men seen as traitors to masculine privilege because they are perceived as adopting feminine roles; and transgender people calling into question the traditional assumption that all humankind must fall irrevocably into one of two gender categories. Defiance of the ‘heterosexual norm’ can provoke moral condemnation, exclusion and violence, including torture on those who fail to conform to traditionally defined gender roles” (Amnesty International 2001: 4).

In 2007, the first Pan African LGBTI Conference was held in South Africa. The conference brought together sixty activists from fifteen countries to strategize on coalition building and strengthening advocacy and activism on the continent (igla.org). Van Zyl

explains that recognition of homosexual identities and relationships as a right has the potential to radically challenge heteronormativity, “firstly through affirming habitational diversity, secondly by exposing the social construction of public and private dichotomy, and finally by underwriting values of social diversity, it opens possibilities for transforming histories of “othering” (Van Zyl, M. 2004: 225). By strengthening coalitions and networks, LGBTI activists and allies hope to challenge the extremely patriarchal, heterosexist, hegemonic masculinist power that informs so many institutions across the continent. South Africa may have a progressive constitution but the population is largely conservative and holds onto heteronormative values and this can only change through dedicated outreach and public engagement efforts, consciousness raising and information dissemination.

Wendy Isaack explains that routine and normalized violence in South Africa results in flagrant impunity enjoyed by rights violators. A refugee application is processed in a system which has been acknowledged as dysfunctional, and leaves African LGBTI people in a state where their human dignity is compromised because values and principles of non-discrimination or rights to equality and human dignity are not embraced (Isaack 2009:2).

## Chapter TWO: Literature Review

### Theoretical framework

The following section presents an accumulation of literature around sexual rights discourse, especially as they pertain to human rights for sexual and gender minorities. I explore the emergence of sexual rights and queer spaces within post-Apartheid South Africa. To understand this, I must also reflect on the International human rights instruments and institutions that inform the discourse within South Africa. I argue that different cultural/discursive, regulatory/institutional and racial/class norms focused around sexual rights discourse influences identities and performances of gender and sexuality while also reproducing and reinforcing a heteronormative model of gender, sexuality and human rights. Because of this, I use a queer perspective that grapples with the ways the realities of LGBTI sexual refugees are experienced and how the human rights institutions have failed to address the violations against these individuals properly.

### Labels and Language

Two key terms are frequently used throughout this paper – ‘LGBTI’ and ‘sexual refugee.’ In his book *Queer Visibilities*, Andrew Tucker remarks, “The issue around creating definitions is a serious epistemological, methodological and ethical dilemma” (Tucker 2009:5). My use of the term ‘LGBTI’, which stands for lesbian – gay – bisexual – transgender – intersexed, is over-simplistic for the weight that the labels carry. Firstly, ‘LGBTI’ is neither fully representative nor inclusive of the many sexual identities and titles many people share and relate to, especially within South Africa as the term LGBTI has Western roots and most languages within South Africa do not have particularly identifying names for one’s sexual identity. Vasu Reddy explains that alongside an array of stigmatizing names, lesbian and gay men are simultaneously woven into a network of “myths” concerning their promiscuity, their violations of children, their perversion, their sinfulness, their sickness, and their mental ill health (Reddy 2002 in “The Country We Want to live in” 2010:12). Therefore, attaching labels that carry negative connotations and myths can influence some individuals to reject the labels altogether. In the Report, *The Country we Want to Live in*, the authors mention,

“While at an activist level it is always possible to transform negative names (such as dyke) into slogans of pride, or to challenge absurd myths, it is nonetheless true that the weight of homophobic stigma and prejudice is so strong in many South African environments that even to be termed “lesbian” or “gay” is sufficient inducement for (verbal or physical) attack. (The country we want to live in 2010: 12).

Thereby, narrowing identities to a five-letter acronym is a presumptuous act but meant to cover the range of discrimination and marginalization experienced by a group of individuals perpetrated by heterosexual norms. It is also possible that many individuals will be arbitrarily placed in this category while simultaneously overlooked because of their true gendered identity. For example, some individuals may identify as queer, two spirited, transsexual, MTF – Male to female, FTM – Female to Male, hermaphrodite, questioning, in stealth, cross-dresser, drag queen/king or gender non-conformists. While it is important to recognize the plethora of gender identities and diversity within the category, I remain faced with the challenge of utilizing a term to encompass the lived realities of those individuals in this research project. I have chosen to use LGBTI and while I do not mean to purposefully leave out identities, it becomes impossible to be completely inclusive in an acronym. It is important for the reader to understand that this term is complex and always changing and shifting and by no means all encompassing of the many gendered and sexual identities existing on the African continent or are they necessarily indicative of the actual labels that many people use.

Sexual refugee is another complex term that needs to be contextualized. The term to some might seem to be ‘political’ as it combines the meanings associated with “refugees” or asylum seekers paired with the highly gendered and controversial subject of sexuality. The U.N. High Commissioner for Refugees (UNHCR) defines a refugee as,

“Someone who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (UNHCR 2010).

The gendered language within the definition is problematic and outdated as it stems from the 1951 Convention relating to the Status of Refugees. The UNHCR’s webpage explains in detail that the term refugees and asylum seekers must not be used as

interchangeable as their legal definitions are quite different. A refugee is forced out of their country, they run away and have a well-founded fear of persecution - as many have experienced trauma or have even been tortured (UNHCR 2010). The term refugee is often misused to describe people displaced by natural disasters, which is incorrect as these individuals are called migrants. In addition, 'refugee' has a specific meaning and is not to be confused with an economic refugee who should instead be called an economic migrant as these are individuals who leave their country in search of a better financial life (UNHCR 2010). Conversely, an asylum seeker is a person who has left their country of origin, has applied for recognition as a refugee in another country and is awaiting a decision on their application (UNHCR 2010). Therefore, I use the term sexual refugee as a way to highlight that the reasons one has fled or fears persecution in their country is based on one's sexuality or sexual identity. The trauma inflicted by homophobia across the continent encompasses the root decision behind the choice to leave one's homeland. This general term 'sexual refugee', however, is problematic in the sense that while this label is being used to politicise a phenomenon which is occurring throughout Africa, and the world, not all individuals 'identify' with the title and many avoid it as 'refugee' carries a history of stigma and marginalization (Isaack 2009). As with the limitation of the term LGBTI, sexual refugee is also narrow and not all encompassing. Not all of my participants identify as refugees and some may be students, professionals, activists, illegal immigrants, or asylum seekers. The common thread however, is their sexual identity was a key driving force for them to leave their country and move to South Africa. In much of the refugee literature I have read, one does not see the term 'sexual refugee' often; however, I feel it is important to use this term in my research context, based on the importance of merging a politically controversial subject with a humanitarian issue.



## Sexual Rights Theory and Discourse

Within this section, I predominantly engage with the work of South African theorists and scholars such as Mikki Van Zyl (2004), Andrew Tucker (2009), Barbara Klugman, Linzi Manicom, Amina Mama, Amanda Gows and others to illustrate how, since the end of Apartheid, ongoing political LGBTI activism persists to destabilize the societal assumptions and beliefs about sexuality (Tucker: 167). It is through appreciation of this persistence and action that I attempt to understand how queer spaces emerged and were shaped from the development of sexual rights discourse both within South Africa and abroad. I end with insights and critiques around the “tacking on” of LGBTI rights to heteronormative scripted human rights and explore the implications for doing so within a rights-based framework.

The second section of this theoretical framework delves into the complexities of gender and sexuality as a performance and links the ways in which sexual rights discourse informs gender performance. Using predominantly Judith Butler, Gayle Rubin, Michel Foucault, Judith Lorber, I attempt to unpack the ways in which power and inequalities exist within individuals in different ways, making specific reference to Rubin’s erotic pyramid and the hierarchies of sexualities. By understanding the powers that create binary understandings of gender and sexuality, I recognize the ways in which these fictional categories reinforce and reproduce heterosexist and oppressive realities, especially for the individuals in this study. In this way, I hope to show how a queer perspective around gender performance and power, shaped through sexual rights discourse, has the ability to transform individuals notions of self and identity by finding a new source of power in the epistemic understanding of the multiplicities of gender diversity.

### The emergence of “sexual rights” and queer “spaces” in South Africa

Between 1948 and 1993, South Africa experienced 45 years of apartheid rule enforcing a system of racial segregation across the country. During Apartheid, the National Party created racial and class hierarchies of superiority based on the hegemonic, white, heterosexist and masculinist regime. Spawned by the increase of violent backlash and riots within South Africa, a series of negotiations between 1990 and 1993 slowly dismantled Apartheid. These negotiations eventually led to the release -- and subsequently the election

-- of the ANC party and Nelson Mandela in 1994. "Rights" discourse was central to the discussions around the "new South Africa," as it broke free from the decades of its oppressive, brutal past. This historical and political paradigmatic shift simultaneously occurred at a time when other "rights-based" discourse was making its way to the international platforms at the UN and other Human Rights Institutions. The term "sexual rights" emerged into the public discourse in 1994 at the International Conference for Population and Development (ICPD) mostly focused on reproductive health rights. The UN defined reproductive health as "a satisfying and safe sex life" (United Nations, 1994: 43). A year later, in 1995, the fourth World Conference on Women in Beijing took place and it was here that attention was given to sexual rights,

"The human rights of women include their right to have control over and decide freely and responsibly on matters related to sexuality, free of coercion and discrimination and violence. Equal relationships between women and men in matters of sexual relationships and reproduction, including full respect for the integrity of the person, require mutual respect, consent, and shared responsibility for sexual behaviour and its consequences" (United Nations 1995: 38 in Hlatshwayo and Klugman).

During the Fourth World Conference on Women, there were many heated debates on whether the concept of sexual rights would require the development of a new international human right. Barbara Klugman clarifies, "In Beijing, sexual rights advocates extended this principle to argue that sexual rights would not create *new* rights, rather, the concept would extend international human rights protection to the terrain of sexuality" (Klugman: 277).

During the Beijing Conference, many countries in the Southern African SADC region were uncomfortable to references to sex and sexuality that went beyond the context of provision of sexual health services (Klugman: 279). Most SADC countries are religious and their leaders have proclaimed a discomfort with discussing sex and sexuality. That has proven to be a major barrier for the improvement of sexual rights in the region. In recent years; though, the HIV pandemic has pressured churches and religious institutions into recognizing the need to talk about sex.. A Namibian Reverend publicly announced, "People are dying of AIDS because we are not willing to talk about sex. We cannot hide behind the Bible. Encouraging member churches to open up to new teachings on sexuality and HIV/AIDS is a priority. We cannot condemn anyone because everyone is made in the image of God, whether or not they go to church" (Klugman: 279).

Simultaneously in South Africa, gender activists used this highly political and transitional moment to organize a unified movement for the Women's Charter for Effective Equality through the Women's National Coalition (WNC) (Gouws 2005:71). This also leveraged off international rights based discourse occurring globally. Activists required a critical rethinking surrounding gender issues and women's representation in post-Apartheid South Africa. The nature of this transition allowed feminists to articulate an agenda of equality that unseated the nationalist formulations of women's political roles (Hassim 2005: 55). Barbara Klugman explains that sexual rights are central to social justice and the achievement of sexual rights requires gender equality in cultural and social systems, as well as in economic systems (Klugman:271).

The women's movement was still very fragmented during this political transition. Linzi Manicom criticizes the women's movement for their exclusionary tendencies and for their implicit heteronormativity, for their complicity in racialized subject making and for their limited nation state orientation (Manicom 2005: 22). LGBTI communities, though equally oppressed during apartheid, were not part of the women's movement. Even though patriarchy and hegemonic masculinity was equally oppressive to LGBTI individuals, many of in the women's movement could not identify with the sexual and identity politics of this group. However, the history of the country also meant that so long as sexuality concerns were framed around equality in opposition to discrimination, they stood a good chance of being accepted (Tucker: 176). With this knowledge, in 1994, the National Coalition for Lesbian and Gay Equality (NCLGE – later Equality Project) was formed to help coordinate lobbying for the inclusion of a sexual equality clause into new Constitution (Tucker: 176).

In 1996, the Parliament approved the new Constitution and South Africa became the first country in the world to include a clause of non-discrimination on sexual orientation (Van Zyl 2004: 223). On paper, it appeared that the "new" South Africa was setting the foundation of rebuilding a country based on principles of inclusion, tolerance, openness and progressiveness. Advocating for legal transformation was a key component of the work of LGBTI organizations in South Africa (Isaack 2009:1). Sexual Rights discourse, though still heavily opposed by the majority of the South African population, brought international attention to the country and as Andrew Tucker explains, it became "the poster child of a successful liberation from oppression" (Tucker 2009: 139 ).

This milestone was just the beginning for South Africa. Andrew Tucker describes the forms of urban sexual rights political action in Cape Town that further shaped the experiences and realities for the LGBTI communities. For example, despite widespread societal misgivings, the sexuality equality clause paved the way for a succession of legal challenges to laws seen as unconstitutional by discriminating against queer men and women. Tucker highlights that in 1997, anti-sodomy laws were declared unconstitutional by the High Court in Western Cape. In 1998, the Constitutional Court in Johannesburg upheld this ruling. In 1999, the Constitutional Court upheld previous provincial rulings that the Aliens Control Act (1991) was unconstitutional in its denial of immigration rights to bi-national same-sex couples. Despite government appeal, the Constitutional Court upheld the ruling in 2000. In 2002, the Constitutional Court upheld the Pretoria High Court's, which declared sections of the Child Care Act and Guardianship Act (1983) unconstitutional, allowing same-sex couples to adopt children (Tucker 2009:177).

In July 2003, the Equality project began holding workshops around the country aiming to stimulate grass-roots support among queer individuals for a change in the law that would allow same-sex couples to marry. This was presented to the High Court of Johannesburg in 2004 and on December 1, 2005, the Constitutional Court ruled that both the country's common law definition of marriage and the formula of the marriage vow in the Marriage Act (1961) were inconsistent with the constitution therefore invalid. (Tucker 2009: 177).

Pride parades began gaining momentum and visibility in Cape Town around 2001 (Tucker 2009:172). Brickell explains, "The importance and relevance of Pride has remained its ability to make public that which is often viewed as confined to some degree to the private sphere (Brickell 2000). Pride events therefore attempt to destabilize heteronormative assumptions about sex and sexuality in a very public way. Pride festivals and marches are also therefore concerted attempts to establish safe spaces through visibility, often moving outside traditional Western constructions of a gay village. By challenging heteronormativity in public space, their aim is also to create awareness and develop political power for queer groups" (Tucker 2009: 167).

Over the last eighteen years, giant shifts in sexual rights discourse and legal achievements have galvanized LGBTI individuals across different communities in the city and the country on a scale previously unheard of. The impact of these achievements meant that

increased visibility also led to a dramatic stimulation of homophobic rhetoric (Tucker 2009: 161). I note that despite the achievements, until action manifests through government and societal institutions, sexual rights may remain rhetoric only. Well-respected individuals such as Nelson Mandela and Archbishop Desmond Tutu urged fellow South Africans to include gay and lesbians in the rainbow people of South Africa. Tutu stresses, “Apartheid denied gay and lesbian people their basic human rights and reduced them to social outcasts and criminals in their land of birth” (Thoreson 2008:9). Kopano Ratele explains “In spite of a progressive legal order and a democratic political dispensation in the post-apartheid society, sexual subjects, which worried apartheid politics and society considerably, continue to trouble the present order. The argument made here is that many Africans and whites still appear to be troubled by the repressive legacies of apartheid laws and hence continue to live out the sexual identities, desires, fears and relationships that Apartheid fathers sought to cultivate on this land” (Ratele 2009: 290).

The South African Constitution vows in its preamble to “heal the divisions of the past” and to “lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law” (HRW 2009: 3). However, despite the changes to Constitutions and legal definitions in the human rights discourse, the reality is that these changes do not necessarily translate into implementation or a shift in people’s attitudes, beliefs and cultures. Amanda Gouws offers a crucial argument:

*“Rights discourse uses universalizing language which obscures realities of inequality. On a discursive level, the language of rights creates the impression that rights have some intrinsic value... In other words, individual’s own rights and this notion puts boundaries between the state and individual and between self and other. One consequence of this view of rights is that it obscures the connection with community and reliance on others. When rights are viewed in this way it becomes difficult to solve conflicts and to transform social relations of inequality” (Gouws: 80).*

By refusing to respect LGBTI relationships, the state ominously plays a role in furthering a systemic homophobic culture and institutionalized discrimination towards sexual and gender minorities. By refusing to change refugee legislation and enforce protections, the state is also furthering the systemic discrimination of refugees and compromising their individual safety, which is a violation of the Refugee Act.

A report by Human Rights Watch and the International Gay and Lesbian Human Rights Commission (IGLHRC) explains that South Africa is an important model for the rest of the region, to learn from its successes in progressive and non-discriminatory laws; however, they stressed that South Africa's rights discourse needed to also model the failures and challenges in implementing a sweeping commitment to remedy abuses and achieve social change (HRW/ IGLHRC 2009: 179). This report explains that South Africa is the only country on the continent to have openly gay and lesbian bars, newspapers and magazines, NGOs and community centers. Cape Town even has a tourist industry catering to gay visitors (HRW/IGLHRC: 2009:179). However, as positive as these achievements of visibility may be for the South African LGBTI community, there are gross disparities within this group and many LGBTI individuals are cut off from the 'gay-friendly spaces' and cannot access or experience these freedoms described on paper due to deep economic inequality, social isolation and cultural exclusionism (HRW/IGLHRC 2009: 179).

### Queering of International Laws

At an international level, over the last five years, there have been notable changes within human rights laws towards sexual minorities. For example, the development of stronger international human rights advocacy and monitoring structures, the increased access to information via the internet through social networking and coalitions as well as increased institutional funding that supports LGBTI initiatives has substantially increased the pace by which local communities advance the rights of sexual minorities on a global scale (Ettelbrick 2010:4). In late 2006, 29 human rights experts from 25 countries developed a set of legal principles on the application of international law to human rights violations based on sexual orientation and gender identity to bring greater clarity and coherence to States' human rights obligations (Yogyakarta Principles). These principles were called the Yogyakarta Principles and the principles are based around all international treaties signed under the United Nations and present the obligations that countries around the world have to protecting the lives of sexual minorities. These principles originally stemmed from the Brazil discussions in 2003 and 2004 at the Human Rights Council meetings where a question was posed, "What is the current status of international human rights law as applied to LGBT people" (Ettelbrick 2010: 5). Some activists asked if such a separate treaty was even necessary. The High Commissioner then expressed an interest that such a document was

needed and hence the beginning of these discussions. The Yogyakarta Principles were officially presented in 2007 for two purposes; firstly, to assess the current human rights law as it applied to sexual minorities, and secondly, to offer detailed obligations for action to states through 29 principles which would essentially assist LGBTI activists to challenge human rights violations across the globe (Ibid). Mauro Cabral at Sexuality Policy Watch commends the Yogyakarta Principles for the mere fact that the gender perspective highlighted within the document creates the de-naturalization of the gender binary, as well as recognizes the undeniable diversity of genders that exist across the world. Cabral states, "By expanding the boundaries of "incarnate genders" the Principles enlarge the meaning of a gendered humanity. This deconstructive operation makes it possible to recognize dimensions that were not previously addressed by the human rights framework" (Cabral 2007).

The Yogyakarta Principles, though still relatively new to International Human Rights Law, carry tremendous weight and are vital components to improving the situation of the LGBTI community worldwide. If we look at other key legal movements, such as the UN Conference on Women, which began in 1975 in Mexico City with the most recent taking place in Beijing in 1995, we see that such conventions are important stepping-stones to advancing human rights laws worldwide. Paula Ettelbrick et. al. explains, "What should have been self-evident in the drafting and ratification of treaties that promised universal application of principles of equality and dignity to all human beings, required decades' long struggle to acknowledge that application to more than ½ of the world's human beings" (Ettelbrick 2010: 11). Similarly, the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa in 2001 also required the drafting of a document that highlighted human rights law towards issues of race and related intolerance as a way to reaffirm state's obligations to ending racism and discrimination. From these examples, we can also acknowledge that the international backing of the Yogyakarta Principles will significantly assist in pushing forward the process of LGBTI human rights discussions worldwide over the coming years and continue to hold countries accountable to changing outdated, homophobic and discriminatory laws and criminal codes around sexual minorities. Despite the fact that the Principles are not a form of "binding" law, they do represent an "authoritative interpretation of international law", as distilled

from the text and legal interpretation of a number of international human rights treaties, which *are* binding on signatory States (Ettelbrick: 12).

The global impact of the Yogyakarta Principles is not yet fully known, as it is still new within the International human rights discourse; however, major achievements should be noted, especially as they pertain to sexual refugees. A year after the Principles were launched, UNHCR developed an 18 page Guidance note on Refugee Claims relating to Sexual Orientation and Gender identity. The UNHCR is mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide with its primary purpose to safeguard the rights and well-being of refugees (Ettelbrick: 2010:17). In the new guidance note, UNHCR clearly outlines that LGBTI individuals are recognized as a “particular social group” and as such are entitled to protection under the 1951 Convention (UNHCR Guidance Note). The guidance note quotes the Yogyakarta Principles throughout the document and reiterates that sexual orientation and gender identity can be the basis of a well-founded fear of persecution and countries should not discriminate further against LGBTI individuals. All LGBTI people are entitled to all human rights as stipulated in the Human Rights Declaration, the Yogyakarta Principles, the International Covenant of Civil and Political Rights (ICCPR), The International Covenant on Economic, Social and Cultural Rights (ICESCR), and Convention on the Rights of the Child (UNHCR Guidance Note: 6). The importance of this document shows that States who have laws which criminalize same sex consensual adult relationships is discriminatory and a violation of the human right to privacy and freedom of expression and opinion. As outlined in the Yogyakarta Principles,

Everyone has the right to freedom of opinion and expression, regardless of sexual orientation or gender identity. This includes the expression of identity or personhood through speech, deportment, dress, bodily characteristics, choice of name, or any other means, as well as the freedom to seek, receive and impart information and ideas of all kinds, including with regard to human rights, sexual orientation and gender identity, through any medium and regardless of frontiers (Yogyakarta Principles).

Perhaps one of the more profound messages coming from the Guidance note is the State’s responsibilities around acceptance of asylum seekers. UNHCR clearly outlines that due to hostile environments, LGBTI individuals often have to conceal their gender identity and sexual orientation to avoid persecution. Because of this, decision makers at borders must show utmost sensitivity and be trained in such matters. Ultimately, UNHCR concludes



by saying, “Given the difficulties of providing proof in sexual orientation claims, the assessment of such claims often rests on the credibility of the applicant. In these circumstances, decision makers must lean towards giving the applicant the benefit of the doubt” (UNHCR Guidance Note: 18).

The consistent quoting of the Yogyakarta Principles at the United Nations Human Rights Council and other UN forums has given the Principles significant status as an international instrument that should be abided by across the world. In November 2009 at the African Commission on Human and People’s Rights, the participants agreed on a resolution to end all forms of discrimination based on sexual orientation and sexual identity in Africa based on the Yogyakarta Principles (Ettelbrick 2010: 24). This has a strong political implication for the continent; however, the African Commission has not yet officially approved the resolution. Within Africa, 38 countries still criminalize homosexuality and it has been a key area of concern around the level of human rights abuses of LGBTI people reported across the continent. The 2011 signing of the UN Joint statement “Ending Acts of Violence and related Human Rights Violations based on Sexual Orientation and Gender Identity” had its largest support yet with 85 countries and 119 NGOs backing the Statement. The Statement reiterates concern on the level of human rights abuses, including killing, rape, torture and criminal sanctions aimed at LGBTI individuals. The Statement had 10 individual points highlighting the rights of LGBTI individuals,

“We call on States to take steps to end acts of violence, criminal sanctions and related human rights violations committed against individuals because of their sexual orientation or gender identity, encourage Special Procedures, treaty bodies and other stakeholders to continue to integrate these issues within their relevant mandates, and urge the Council to address these important human rights issues” (IGLHRC: UN Statement 2011).

On April 6, 2011, The European Union Parliament voted in favour to amend the EU-wide system for examining LGBTI asylum claims (LGBT Asylum News). The Parliament made special reference to the fact that LGBTI refugees should be classified as a group with “special needs” and should receive particular attention. The EU agreed to

- Provide expert advice to asylum officials on sexual orientation and gender identity
- Protect claimants privacy
- Guarantee that physical examinations fully respect human dignity and integrity

- Ensure that applications by LGBTI asylum seekers are not “fast-tracked” for removal to their country of origin (LGBT Asylum News)

The adoption of the new amendments is still only the first step, as each EU government needs to examine the text and agree with the Parliament and Council Ministers before it is officially adopted (LGBT Asylum News). Nevertheless, the changing of courts and international recognition for the needs of sexual refugees is an important one.

At least eight of the 30 articles within the Human Rights Declaration protect LGBTI individuals. For example, Article three “Everyone has the right to life, liberty and security of person” (Universal Declaration of Human Rights). As was demonstrated in the Introduction, many countries still criminalize homosexuality and in some countries, it is even punishable by death. If every human being has the right to life, then punishing someone to death for who they are as an individual is thus a violation of their basic human right to life and security of person. Article Five of the Human Rights Declaration states, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” (Universal Declaration of Human Rights). Human Rights Watch repeatedly documents inhumane and torturous treatment of LGBTI individuals in countries worldwide. As was demonstrated in cases in Iraq, Iran, Honduras, perpetrators continue to seek out LGBTI individuals with the most perverse and cruel forms of torture to inflict on individuals. This is clearly against an individual’s right to not be subjected to such treatment. Article 12 states; No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right of the law against such interference or attacks (Human Rights Declaration). Given that many people are killed, attacked or taken from their homes is a clear indicator that governments are violating individual’s right to privacy. One’s sexuality is a private matter and one that demands respect. James D. Wilets recognizes the importance of the right to privacy when he points out,

“Sodomy statutes operate to justify a wide range of otherwise impermissible violations of human rights. Furthermore, to the extent sodomy statutes “criminalize” sexual minorities, the statutes engender violence against sexual minorities by state actors and strip them of any claim to equal protection against violence perpetrated against them... Accordingly, the right to privacy has become one of the prerequisite rights to the attainment of other basic human rights for sexual minorities” (Wilets: 1025).

I touch on the international human rights legal instruments and institutions to illustrate the shift that is occurring to recognize and protect the rights of sexual and gender minorities worldwide. In doing so, they begin to define the parameters for the equal protection under the law of LGBTI persons. However, the absence of an explicit international legal instrument undermines equal rights of sexual and gender minorities. Thus, at an international level, the rights of sexual and gender minorities have been reduced to subjective interpretations of international law. Finally, international human rights discourse around gender and sexuality has entirely focused on the rights of LGBTI-identified persons exclusively, in this way limiting its capacity to address human rights violations of other queer individuals with otherwise performed gender and sexual identities that also deviate from the heteronormative framework. Foucault's theories from the history of sexuality show that because heterosexuality is in constant need of protection, institutions intertwine heteronormativity into social fabrics resulting in a perpetuation of power and privilege. This convoluted process happens in many subtle ways. Interaction with caretakers, socialization in childhood, peer pressure in adolescence, and gendered work and family roles are examples of where socially constructed gendered binaries are produced shaping specific behaviour, attitudes, emotions and ways of being. The content of the differences depends on the society's culture, values, economic and family structure, and history (Lorber: 82). The perpetuation of gendered norms will be explored further below.

### **Sexuality: a performance shaped by discourse**

The above portion of sexual rights discourse outlined the emergence of sexual rights literature, rhetoric, and the development around LGBTI rights within National and International rights Instruments. Deeply evident within that discourse is how pervasive gender is through our daily interactions with others. Butler explains that gender can be resisted and reshaped by gender troublemakers (Butler 1990). In her article "Critically Queer", Judith Butler explains gender performance; "Performative acts, are forms of authoritative speech; most performatives, for instance, are statements which in the uttering, also perform a certain action or exercise a binding power" (Butler 1993: 17). From this, I understand how the performance of gender thus informs the social network in which we live, from legal sentences, to ceremonies, to punishments and thus the *performative* is one domain in which power acts as a discourse (Butler 1993: 17). If we look at the Sexual

Rights theoretical framework discussed above, such discourse therefore has the power to determine certain accepted and unaccepted acts by those in power. Butler maintains that it is not the single “act” that is power but the reiterated acting that is power in its persistence (Butler 1993:17).

If we look at discourse as power then we can identify how power is derived through unpacking and deconstructing the epistemological and ontological root of such power. Butler gives an example of a judge authorizing a situation through which he cites the law. Though many may identify that the power is derived from the law/ texts by which his authority comes from; however, the binding power does not come from the text, nor the subject of the judge, not his will but the in the citational legacy by which contemporary “act” emerges, in the context of a chain of binding conventions (Butler: 18). Therefore, the legacy produces a repetitive act, which forms a nexus of power through its repetition of certain gestures of power (Ibid). Sexual rights discourse in South Africa still struggles to get beyond the textual power it has illustrated in such documents within the Constitution, the Refugee Act, the Yogyakarta Principles, and Human Rights Declaration and so on. These texts grant protections and sanctions for sexual minorities in this country, yet if individuals rejected from society with their personal safety compromised, Butler’s theory would prove to hold merit. Only when acts are repetitively performed does power appear and new norms emerge.

In her analysis of belonging and citizenship, Mikki Van Zyl demonstrates how power imbalances create a hierarchy of citizens based on race, class, gender, sexual orientation, religion, age, and so on. The further people fall from the center in this range of hierarchies, the more individuals will be stigmatized, criminalized, medicalized, and demonized (Van Zyl, M. 2004: 230). In spite of the changing constitution in South Africa to include the rights of sexual minorities, the positionality of the LGBTI community negotiating those rights is still based on the dominant hegemonic heterosexist environment’s interpretation and leniency to “include” them. This clearly illustrates the power heterosexism has by creating an essentialist paradigm in which certain individuals can or cannot belong. Gayle Rubin, in her article “Thinking Sex”, also discusses this issue in detail and examines social and cultural dimensions of sex, human sexuality and behaviour. Rubin explains that sexual repression has created an inherent caste system that assigns “values” to certain sexual identities than others. Rubin outlines the “erotic pyramid” (Rubin 1999:279) whereby those who are

married heterosexuals whose purpose is for reproduction are at the top, followed by unmarried monogamous heterosexuals then other heterosexuals. Stable long-term gay and lesbian relationships make their way down the pyramid but promiscuous gay sex is even further despised. However, the lowest caste is those where their erotic desires transgress generational boundaries, such as pedophiles (Rubin 1999: 279).

I assert that heteronormativity makes heterosexuality hegemonic and creates social “norms” and “privileges” which are often invisible to the majority of the privileged population. In her book *The Prize and the Price*, Mikki Van Zyl blames the invisible power of heteronormativity as the dominant form of control over ideological notions of who we are, who we should be and the costs of being different (Van Zyl 2009:3). Sexuality as she explains is a deeply political issue whereby the body and personal desires become the site of discursive power struggles (Van Zyl 2009:4). In the South African context, the notion of rights and citizenship is still a daily negotiation process. Van Zyl explains that coming out of a deeply divided social relationship requires that rights are constantly negotiated and balanced in relation to other people’s rights, set against a backdrop for struggles for economic / political dominance (Van Zyl 2005). Sexuality as explained by others like Judith Butler, Michel Foucault, and Gayle Rubin, does not arise from “nature”. All three authors show us how sexuality is “a human product” (Rubin 1999:277). Butler maintains, “That gender is in no way a stable identity of locus of agency from which various acts proceed; rather, it is an identity tenuously constituted in time – an identity instituted through a stylized repetition of acts. Further, gender is instituted through the stylization of the body and hence must be understood as the mundane way in which bodily gestures, movements, and enactments of various kinds constitute the illusion of an abiding gendered self” (Butler, 2003: 415).

Douglas Janoff reiterates that homophobia is an imported construct that is now deeply rooted in culture and reproduced in media, institutions, organized religion and the courts. Janoff explains, “Homophobia stigmatizes us, creates anxiety in men whose sexual identities are fragile and fuels the masculinist ideologies that underlies queer-bashing. Then we internalize these messages and blame ourselves for the victimization that occurs (Janoff 2005: 36). Many theorists like Michel Foucault present the same theory whereby sex is a political agent and ‘sex’, historically, was so powerful that it was deemed in need of policing and surveillance. Historically, individuals were forced to confess sexual deviances,

psychiatric wards and hospitals institutionalized them so that their condition could be cured. Through this period of time, sexuality was categorized and anyone who fell outside of what was a 'normal' sexuality was demonized, medicalized, criminalized, and stigmatized (Janoff 2005: 36). Janoff explains that heterosexuality becomes hegemonic through the demonization of homosexuality; by making it a sin, an illness, a congenital disorder, or a symptom of social degradation, it allows heterosexist ideologies to maintain power and social control (Janoff 2005:36). Because there has been such a long history of social controls on sexuality throughout many parts of Africa, homophobia and homophobic backlash has been on the rise as more LGBTI individuals become visible to the mainstream cultures. "Nature" becomes the yardstick for hegemonic normativity through which regulation of bodies is defended (Van Zyl 2009 7).

A norm, as pointed out above, is simply a perpetuated action that is reified through hegemonic power regimes embedded within all institutions in society, including the church, school systems, politics, the family, media, the courts and so on. More importantly, if we understand that "not only is the norm responsible for producing its field of application... but the norm produces itself in the production of that field" (Butler 1993: 52). Enabling patriarchal and heteronormative understandings of gender and sexuality creates constant reproduction and revalidation of the gender norm that guides them in the first place.

Butler points out, "Gender is always a doing, though not a doing by a subject who might be said to pre-exist the deed. The challenge for rethinking gender categories outside of the metaphysics of substance is one will have to consider the relevance that there is no gender identity behind the expressions of gender, that identity is performatively constituted by the very "expressions" that are said to be its results" (Butler 1993:32). In this way, sex, gender and sexuality are rather a stylization of the body to represent some form of gendered/sexualized expression. In the end, Butler effectively and critically disputes the traditional feminist myth that sex is nature and gender is culture, rather pointing out that history defined both sex and gender (and subsequently desire/sexuality) within the limits of a conceptual heteronormative binary. This binary is not only obsolete and useless but also restrictive of many identities and performances that effectively contradict and challenge the binary itself. Moreover, a queer understanding of gender and sexuality provides the lens to see these categories as produced and reproduced by the constant repetitive performance of particular acts that inscribe the bodies of the subjects and that, when they take normative

shapes, create the illusion of a coherent gender and sexual identity. Indeed, “gender (and sexuality) is in no way a stable identity or locus of agency from which various acts proceed; rather; it is an identity tenuously constituted in time- an identity instituted through a stylized repetition of acts. Further, gender is instituted through the stylization of the body and, hence, must be understood as the mundane way in which body gestures, movements, and enactments of various kinds constitute (Butler 1993: 25).

I use Butler’s gender as a performance theory to show that people create their social realities and identities, including their gender through their actions with others, including their families, friends, colleagues etc. This performance is therefore informed by the general rules of social life, cultural expectations, and workplace norms and laws (Lorber 2000: 83). Only when society lives up to its laws in South Africa around the acceptance of sexual and gender diversity, can the rights of LGBTI individuals be created and maintained through the repetitive nature of these acts in society. After all, discourse can only become discourse through being called, named and interpellated.

Naming a discourse is also somewhat problematic. In Butlers work ‘Critically Queer’, she discusses the use of terminology. The terms we do use lay claim to the terms that we insist on politicizing identity and desire. It also requires us to question our own uses of terminology, and the critique of the queer subject is crucial to the continuing democratization of queer politics. As much as terms around identity are important and as much as “outness” is to be affirmed, there must be a critique of its exclusionary tendencies of the words we use. For whom is outness historically available and an affordable option? For whom does the term present an impossible conflict between racial, ethnic, religious affiliation and sexual politics (Butler 1993: 19)? “The political deconstruction of the term queer, ought not to paralyze the use of such terms but, ideally, to extend its range, to make us consider, at what expense and for what purposes the terms are used, and through what relations of power such categories have been wrought” (Butler 1993: 20).

Lorber also encourages reflecting the language and categories assigned for gender and sexuality. Lorber affirms,

“We can deconstruct the commonly used categories to tease out components; we can add categories; we can also reconstruct categories entirely. We can take a critical stance towards the conventional categories without abandoning them entirely, examining the social construction and meaning of sex, sexuality, and gender as has already been done for race,

ethnicity, and social class. We can do research that predicts behaviour from processes and social location without the overlay of status categories, examining what people do to and with whom and how these processes construct, maintain, or subvert statuses, identities, and institutional rules and social structures” (Lorber 2000: 152).

Furthermore, Van Zyl explains that through meanings attached to the non-hegemonic bodies, “othering” is propagated, and upon whom different forms of exclusion, oppression and violence are perpetuated (Van Zyl 2009:4). In the gay communities in Cape Town, the remnants of apartheid ideologies still shape the lives and social relations of individuals. Kopano Ratele explains that in South Africa, the legislative and literary undertakings of the Apartheid government shaped what individuals would come to lust after and love, hate and flee from, what they did for sexual intercourse, with whom, and under what conditions (Ratele 2009:294). These ideologies have not dissolved and notions of sexuality are still predominantly practiced based on race and class divisions. As explained in the report, “The Country we want to live in, the authors explain that in South Africa, heterosexuality is still a deeply rooted cultural norm and sexual minorities find themselves in a “second class” category which is heavily defined by heterosexist gender norms. It is explained that “Those identified as ‘not heterosexual’, are actively denied legitimacy in dramatically discriminatory ways in contexts that are defined and define themselves according to “tradition” and culture”. (2010: 8). The existence of sexual rights doctrines and discourses unequivocally marks a fundamental breakthrough in matters related to human rights. However, their existence by itself will not transform the conditions that make them indispensable. The task we face is to transform what until now is only text into realities.

With LGBTI rights now legally protected under the government of South Africa, the challenge revolves around the implementation and adherence to these legislations. It remains frustrating for activists to see little political backing of the Constitution. Human Rights Watch complained that there is a trend of the “foot-dragging of political leaders in changing laws, and creating mechanisms for enforcement and remedy the constitution’s Equality Clause” (HRW/IGLHRC 2009: 3). Silence and inaction endanger not only the lives of those affected but also the integrity of the constitution and nation state. Shockingly, despite the governing African National Congress (ANC) party’s formal commitment to gay and lesbian rights, in almost every single precedent-setting court case, the State has contested and tried to fight against what is in the constitution (HRW/IGLHRC 2009: 184). Although the



government appeals the decisions of the High Court, their efforts are rejected and deemed unconstitutional. This lack of political backing undermines the rights of its citizens. There is still no criminal code which exists to identify assaults believed to be based on sexual orientation in the general collection of crime statistics and stations are not mandated to collect such reports (HRW/IGLHRC 2009: 194). In all of the South Africa police statistics and reports, the word “gay”, “lesbian”, “LGBTI” etc. does not exist on record eighteen years after apartheid has ended. Lack of statistics and acknowledgement of the importance of documenting these crimes undermines the rights stated within the constitution. At present, there is also no legislation covering hate crimes that can cover any prejudice based on factors such as race, nationality, ethnicity, sexual orientation or religion (cormsa.org). By not adequately addressing the prejudice existing in South Africa, especially given its past, how then can sexual rights discourse be taken seriously by the population at large if even the institutions meant to enforce these new laws such as the police, government, education systems etc. are not actively working to uphold the rights of sexual minorities? The dismissal of the value of sexual rights discourse undermines the reconciliation of South Africa’s past while at the same time the inaction becomes a new norm around not taking gender seriously. Structures of citizenship, equality and participation of all citizens are vitally important if South Africa is to create a society free of discrimination and segregation. The paradox remains that rights are often made universal which translate into rhetoric and as Manicom states, “Rights, once specified, become depoliticized” (Manicom 2005: 38).

If we understand sex, gender and sexuality to be performed identities as described by Judith Butler, then a queer post-structural approach to human rights should recognize a plethora of actors across a queer spectrum, each engaging in different multifaceted, malleable and ever-changing performances of gender and sexuality. This will require human rights scholars and advocates to first expand our notion of sex, gender and sexuality outside of the binaries of male/female, man/woman and heterosexual/homosexual to include the existence of all these queer deviant performances in order to visualize the queer individuals carrying out these performances and subsequently recognize their human rights. Secondly, punitive actions undertaken by private and state actors towards sexual minorities validate and reinforce heteronormative binaries as the norm. Finally, the human rights struggle for sexual and gender minorities takes on a new endeavour: defending the right to be queer. This right should be understood as an individual right to *perform* their sex, gender and

sexuality in ways that might deviate from gender and sexual norms, without the interference of violent forces that seek to coerce this individual into instead performing their sex/gender/sexuality in ways that comply with and reinforce these norms.

## Chapter THREE: Methodologies

### Methodologies

Over the last two years, I encountered methodological obstacles within this Masters research, some of which include the important challenge of building rapport with those you are interviewing, learning new interview techniques, creating safe spaces, ensuring the production of reliable data, adopting appropriate sample sizes and recognizing one's own biases and influences within the work. I engaged and grappled with ethical concerns, not only the importance of privacy and ensuring the right formalities of permission forms are adhered to but understanding the complexity of dealing with information gained from other people's private lives and the responsibility one has in that co-creation of a personal narrative. I learned about the feminist ethical concerns with doing harm and putting at risk the individual's own emotional and physical wellbeing and that realization has hugely altered the methodological approaches to this project. The impetus of this shift was so that I may be able to re-engage with my research but not from a perspective of victimhood, but one that focuses on the nature of human possibility and the human journey.

I begin this Chapter by presenting two critical theoretical and methodological insights that form the methodological building blocks of the framework for this project. I first outline various scholars' constructions of narrative inquiry and the use of personal narrative when working with individuals who have experienced traumatic events in their lives. I then discuss the importance of using a feminist qualitative research methodology within this study and its implications on the results. Carla Willig explains "Strictly speaking there are no "right" or "wrong" qualitative methods; however, it is important to understand that the research question, data collection technique and method of data analysis are dependent upon one another and cannot be chosen independently" (Willig 2001: 21). Furthermore, a good research design is one in which the method of data analysis is appropriate to the research question and where the method of data collection generates data that are appropriate to the method of analysis (Willig 2001: 21). Following these insights, I then proceed to outline for the reader, the research questions used, the description of the participants and the data collection methodologies. I then present a feminist reflection of my own positionality within this research and end with a critique on

the limitations, ethics and challenges of the project. This chapter therefore highlights the linkages of the methodologies I chose and demonstrates how and why these approaches were important for this particular project.

### **Theories of Narrative Inquiry Methodologies**

The narrative is “The primary scheme by which human existence is rendered meaningful” (Polkinghorne 1988:1). Following this line of thought, human experience is always narrated. Narrative research is, consequently, focused on how individuals assign meaning to their experiences through the stories they tell (Moen 2006:5). Moen writes about the narrative research approach and explains that for most people, storytelling is a natural way of recounting experience, a practical solution to a fundamental problem in life, creating reasonable order out of experience (Moen 2006: 2). I utilize Moen’s theories of narrative inquiry within this research because I seek to understand how sexual refugees experience the world and therefore I collect narrative stories in order to understand these experiences. Within every narrative there are numerous other stories existing. As a researcher, I tease out those experiences while at the same time careful not to go beyond isolating an individual moment. Moen asserts, when using participants’ ideas as a theoretical framework, the challenge is to examine and understand how human actions relate to the social context in which they occur and to consider how and where they occur through growth. (Moen 2006: 4). When analyzing narratives within the framework of socio-cultural theory, we have to remember the interlinking between the individual and her or his context. As the participants told their stories, I am aware that they are not isolated and independent of their context. On the contrary, the individual in question is irreducibly connected to her or his social, cultural and institutional setting (Wertsch 1991). Narratives, therefore, capture both the individual and the context (Moen 2006:4). This methodological insight is therefore essential for this project as I attempt to understand both the gendered experiences from the individual perspective as well as the negotiation of spaces they occupy within a social, political, discursive and historical context.

Stories simply cannot be abstract isolated structures. Stories are rooted in society, experienced, and performed by individuals in cultural settings (Bruner 1984). Human knowledge and personal identities are therefore continually constructed and revised. Experience of the world, like each person’s perception of her- or himself, is a continuously

developing narrative that is constantly forming and changing form. Here human knowledge is regarded as a plurality of small narratives, local and personal in nature, that are always under construction (Heikkinen 2002 in Moen 2006:5). These narratives therefore influence the dialogue and spaces we place ourselves in during the research process. As Moen suggests, an individual always exists in relation to others, and living means being in an endless dialogue with others. Thus, Bakhtin (1986) is concerned with voices that interact and that together create meaning and understanding. Meaning and understanding cannot be transferred from one person to the next; rather, they are created when voices engage in dialogue with each other (Moen 2006:3). My research over the last two and a half years is an ongoing dialogue, saturated with stories, most of which are depressing and create negative spirals; however, co-existing simultaneously are lived contradictions and important stories of survival and resilience. One of the key principles of re-authoring stories is to take the position of inquiry and seek to notice any event that contradicts the dominant story (Carey & Russell 2003:23). This means, to reflect on the slightest glimmer of hope that strays away or is deviant from the dominant story line. This is because they are unique to and out of the problem-story of victimhood as a sexual refugee (Carey & Russel 2003: 23). The contradictions are not necessarily mine to point out as the researcher; however, they are significant in my analysis and my further exploration to develop an alternative narrative and story line that is has hope and possibility within it. According to Carey and Russell, by identifying contradicting events, it is also important that this event is not left isolated and that it links to other events, because no matter how strongly it may contradict the problem-saturated story, one event on its own is vulnerable and therefore vitally important to link it to a new story line. (2003:24). Like Moen asserts, Life itself might thus be considered a narrative inside which we find a number of other stories (Moen 2006:2).

One of the main characteristics of narrative research is the collaboration process between the researcher and her or his research subjects. Within this approach, the research subject is regarded as a collaborator rather than an informant guided by the agenda of the researcher (Altork, 1998) (Moen 6). I assert that this research is therefore an ongoing interpretive process. Our continuous interactions and stories shared affect the interpretation as well as the kinds of stories that discussed in this research. Moen explained that the interpretation does not end with the finished report either. On the contrary, the final narrative opens for a wide range of interpretation by others who read and hear about

the report (Moen: 7). It is thus important to situate my research approach and analysis within a theoretical framework to link the empirical data collected to the theory in order to create new insights and knowledges. I chose a topic about which I felt passionately about and through this research journey, I engage in this complex, rigorous process of inquiry. As Clark communicates, “It is essential that we recognize that qualitative research is a deeply personal enterprise” (Clark 2007:2).

Through my engagement with narrative inquiry and the constructions of personal narratives, I now understand the importance of recording lives and memories. Yes, there are ethical and methodological problems that come with that act of recording; however, compared to the overall goal and importance of sharing often-invisible stories, these problems indeed become minimal. Marjorie Shostak conveys that stories of ordinary and not –so –ordinary people weave complex stories together, telling of worlds sometimes foreign to us, but these experiences have meaning for them. These meanings, complexities and paradoxes of human life help us learn tolerance for the voices of otherwise obscure individuals, as well as appreciate similarities of human nature and human possibilities (Shostak 1989: 239).

### **Qualitative and Feminist Research Methods**

Feminist writing is a specialized field whereby one must require a skill, for not only writing but also as Paulo Freire (1987) says, reading the world in which we live. As a researcher, I have discovered that this research process is much more complex than just “reading” the world of my participants. In fact, Kirsch cautions that our imposition of our values and the continued dominance of our ways of thinking, reading, writing, and seeing the world is an ethical dilemma of feminist researchers. The danger inherent in the research I carried out is to parochialise or to exoticize one’s subjects and their social worlds (Comaroff, 2004). I discovered complexities within the second year of this research; reading the world in which we live depends very much so on what angle of the light one shines into the space. Gesa Kirsch argues, “We must begin to take responsibility for our representations of others by examining who benefits from the research we conduct, whose interests are at stake, and what the potential consequences are for participants involved in our studies” (Kirsch 1999:46). Reading the “worlds” of my participants varied intensely from the first year

to the second. As I continue to read articles on feminist research methodologies, I realize the ethical dilemmas that occur when one asks a participant to produce a certain narrative about them, especially one that is full of traumatic events and hardships. Although this was flagged in the beginning as a possible risk in the research process, my simplification of agency of the participant to decline certain questions did not take into the full account of the power dynamics between researcher and participant.

Kirsch further argues, “The politics of interpretation and representation are particularly vexing for feminist researchers because they too often hope to empower the people they study and to improve the conditions of their lives. Yet inevitably, researchers are implicated in the process of speaking for others, potentially silencing them” (Kirsch 1999:46). Judith Stacey also cautions that the “appearance of respect can mask possible exploitation” (113) on page 46, Kirsch).

Feminist research methodologies inform the roots of this project’s approach to research design and practice. Despite the lessons learned from year one to year two, it was important for me to draw on African feminist research methodologies in particular and utilize these critical third world feminist theories as the platform to my understanding of the research process I was undertaking. Amina Mama (2007) and Marjorie Mbilinyi (1992) explore African-based critical third world feminism as a space where marginalized groups can gain recognition and make visible the multiplicities of their experiences, truths, and differences in their lives based on their various locations. When it comes to deconstructing “truths”, African feminist theory seeks to disrupt the most basic and safest ideas about Truth – and force them to stand up to examination against other facts, standards, experiences and perspectives (PNG : 262). Unlike western or other forms of feminist research, African feminist researchers often have a deeper analysis of imperialism embedded in class/gender/race-ethnicity, as well as a more coherent critique of the state, including African nation-state and donor agencies (Mbilinyi 1992: 33). Getting away from sweeping generalizations, African feminist researchers takes into account experiences and perceptions that have previously been ignored, forgotten, ridiculed, and devalued. As a principle, employing this particular lens seeks to break to assumption that partial realities are the whole story, while instead, the principle is to reflect on the reality of difference and complexity of gender and the centrality of gender to human life and thought (PNG: 263). This links to the sexual rights discourse in the chapter above since the constructions of a

gendered self-identity come from the relationship between the self and the society. The processes of that gendered self-construction therefore generate truths and experiences from real lived experience and social relationships we have in life.

Using such a gendered analysis allows for a much more in-depth gendered lens into the plurality of oppressions experienced by marginalized groups at any given time; such as colonialism, neo-colonialism, imperialism, racism, slavery, apartheid, capitalism, homophobia, classism, sexism and patriarchy. Because of the attempt to make these forces visible in their research, African feminist researchers (such as Mama 2007, 1996, Mbilinyi 1992, Mannathoko 1992, Sow 1997, Mohanty 1988) dismantle the notion neither that there is an all-encompassing African identity or culture nor that there is one homogenous group of oppressed African citizens. The decompartmentalizing of homogenous and hegemonic groupings is essential in this particular research project since it provides the pathology to understand and legitimize the experiences of LGBTI refugees and asylum seekers, who are marginalized not only by their sexual orientation but also by their “foreigner” status and racial, cultural and ethnic backgrounds. To introduce critical third world African feminist critiques within this project required me to question the processes in which the participants are both the products and victims of the society that created and educated them (Sow 39). Therefore, epistemological knowledge of subjectivities is important to consider, as we are all products of culture, its values and histories (Ibid). Vasu Reddy’s makes the point on African Feminism,

“African feminisms suggest an ‘intra-continental’ lens to view the unequal distribution of power between genders and sexualities. This framework may facilitate and reinforce a view of sexuality as political, in the model of an African feminist sexual politics (see Dunphy, 2001; Millet, 200). ‘Sexual politics’ is a necessary factor in understanding the circuits of power informing identity issues because the gendered hierarchy is sexualised by men.” (Reddy, 2005:18)

From its inception stages, this project grew from my desire to embark on a transformative research endeavour through exploring the diverse and complex lived realities of LGBTI refugees and the institutions of oppression that perpetuate inequality and homophobia on this continent. Jane Bennett writes, “That research and researching are vital processes within the project of transforming conditions of war, misogyny, injustice, and poverty in African contexts remains indisputable: research as discovery, research as forensic



analysis, research as detective work, research as cosmology, research as witness, research as voice, research as undercover strategy (Bennett, 2008:3). Bennett reiterates that it is not simply possible to include research and documentation as part of political engagement, it is essential (Bennett 2008: 10). The lives of sexual minorities in South Africa are still highly politicized and there is very little documentation and programming aimed at foreign LGBTI individuals residing in this country. Carla Willig suggests that collecting qualitative life stories provides an opportunity for the researcher to hear the participant talk about a particular aspect of their life or experience which also requires sensitive and ethical negotiation of rapport between the interviewer and the interviewee (Willig 2001: 23).

I chose to utilize an African gendered lens through this research. To develop a critical gendered lens and to make visible the institutional inequalities in the world in which we live was a crucial endeavour. Being a feminist required me to be aware of my own identities, positionalities, histories and standpoints. My location as a feminist affected the way the world around me reacts to me meanwhile also informing how I interact with the world. Amina Mama states, "The reflective process is the act of rebellion, carried out in and for itself, within one's own head, or in one's immediate community; however, so defined" (Mama 2000: 20). I attempt to see the world in which we live through the participants narratives in this project.

Critical feminist theory often breaks down boundaries and compartmentalization of regulations and norms enshrined upon us. Mbilinyi explains that critical third world feminist analysis has produced the strongest potential for alternative development strategies and oppositional ideology (Mbilinyi 1992: 36). Using this lens, there can be space for deconstruction of language, for example, how language constructs a particular political reality, and language as producing multiple truths, realities, and multiple sites of power/knowledge (Mbilinyi 1992: 37). These deconstructions can expose the falsity of binaries and dichotomous thinking and reject unifying categorizations and homogenous thinking. Amina Mama asserts, "Once the diversity and heterogeneity of African history, society and culture is recognized, theoretically, researchers are able to dispel myths of one "essential" 'African culture' or 'African personality' (Mama 1991). There is significance in sexuality and identity politics and one must keep an open mind while trying to deconstruct how these are shaped. One must also be willing to raise questions around power especially

systemic power imbalances that have shaped our societies to be heterosexist, patriarchal and male supremacist entities.

The reason behind choosing qualitative in depth interviews as the main methodology to collect data was because I sought one-on-one interviews with participants to ensure that I can experience and understand firsthand the emotions and thoughts of the person being interviewed. A relationship forms within a discussion of such depths and therefore I am able to further explore certain significant issues as they arise. This ability to further unpack stories is unattainable through quantitative methodologies. Marjorie Mbilinyi claims, "Knowing is a complex process, heavily dependent on what questions are asked, what kind of knowledge is sought and the context in which cognition is undertaken" (Mbilinyi 1992: 55). Using feminist ethnographic methods as supplementary processes not only added depth to my exploration but also enabled me to form closer bonds and relationships and trust with the individuals in this study.

I chose not to employ a quantitative methodology for this study. I felt quantitative methods would significantly limit the scope of information given. A questionnaire, for example, seeking quantifiable data, would be biased based solely on what questions were asked, not necessarily on the individual's experiences, nor would it permit a space to explore the meanings of those experiences. Surveys, questionnaires, collecting "facts" and numerical data skim the top of a life story. Indeed a mapping of how many LGBTI refugees exist within South Africa would be a particular quantitative undertaking; this research, however, could not begin to unravel that task. The limitation of the quantitative methods does not paint a human face to the data. Qualitative research, using life histories as a data collection method, presents a structure that can unpack and personify complicated and multifaceted realities. For example, using open-ended questions is less alienating and gives the space for the person interviewed to think through the complex issues involved (Mbilinyi 1992: 62). In addition, using narrative inquiry techniques shifts the thinking of the question to a form of possibility. Although the emotions and experiences expressed during the interview are interpreted based on my own perceptions, it is crucial to utilize a reflexive lens during the research process. The importance of positionality will be explored below.

I attempt to keep in mind notions of western feminist discourse as critiqued by Chandra Mohanty. The history of Western feminism has often homogenized "Third World Women" or groups of individuals in a very ethnocentric fashion. For example, universalistic

language described third world women and often reified the male/female binaries i.e. male dominance versus female exploitation. In addition cultural reductionist views, stereotypical notions of gender roles in the private sphere, victims of colonial powers and history, and the binary of west/third world women whereby western woman have agency and control over their bodies while third world women are ignorant, poor and tradition-bound are few more of the characteristics from Western feminism (Mohanty: 65).

Much of the same literature applies to the homogenizing of lesbian, gay, bisexual, transgender and intersexed individuals. It is important for me as a 'western' writer to not assume LGBTI experiences are the same or similar or view LGBTI lives in a reductionist way. I do not want to reinforce a homo/hetero binary of experiences among refugees, nor do I want to discard the importance of looking at sexual minorities as a "group". This has been particularly challenging because it would be incorrect for me to lump LGBTI together as one cohesive movement sweeping the political and social realms across the African continent, especially given the incredible diverse and rich contexts and histories. Mohanty explains that the major problem with universalizing language is that it essentially locks all revolutionary struggles into binary structures – possessing power versus being powerless (Mohanty: 79). If domination and exploitation are defined in terms of binary divisions – groups that dominate and others who are the victims, I fall prey to reinforcing the binaries of victim/perpetrator, powerful/ powerless binary, which is not a true representation of the realities of those I am researching.

## Ethnographic Methodologies

*"It takes two to speak the truth – one to speak and another to hear."*  
~ Henry David Thoreau (1854/ 1975)

As will be explained in Chapter 5, I did not begin my Masters research with the intention of conducting an ethnography as a methodological process for this study. Over the last two and a half years of this research journey, it took on a form of ethnographic exploration and as a result was the catalyst shift in my approach and critical scholarship around the assumptions I made during the pilot. My shift and new way of "seeing" caused me to explore much more seriously, the impact and insights that feminist ethnographic methodologies could offer me within this project.

Ethnography is "The in depth study of a group or social setting engaged in by spending time within that setting informally, partaking in and observing the goings on of that setting.... the researcher is simultaneously a member of the group she or he is studying and a researcher doing the study" (Babbie & Mouton 2001: 293). In this method, one spends a prolonged period with the subjects to observe everyday thoughts, behaviours, speech and actions. The intention then becomes a quest to observe processes, spaces and interactions. For me, this process initially happened unconsciously. I began spending prolonged periods with the individuals, not because I wanted to conduct an ethnography but because after the initial pilot phase, I had created bonds with these individuals and I therefore chose to maintain relationships out of choice, not because of obligation of study. It was after the completion of the pilot when it became evident that this methodology was important for me to understand and take note of within my research. As Layder (1998) explains, ethnography as a method, allows one to hear competing, contradictory and shifting opinions over time; it enables one to observe processes and interactions. What people say they do and what they actually do may differ substantially, "Ethnography, in this usage, means a coherent narrative picture of social life" (Katz: 2004: 299). The whole purpose of understanding the lived experiences of sexual refugees was to put together a narrative picture of their social life, of their interactions with society and how that shaped and formed who they are and how they identified with themselves (or not) as a sexual refugee as well as the spaces they occupy. Babbie & Mouton explain that an ethnographic piece of research takes many hours and generates volumes of data and only a small percentage may be used for the final report. At the same time Ethnography also has its

controversy and limitations, whereby it has accusations of being very ethnocentric, “of fetishising difference, of celebrating imaginative idiosyncrasy, and of cavalier disregard for replicability, refutability or reliable accountability” (Comaroff 2004: 2). Although I recognize these pitfalls, I conclude that carrying out a prolonged observation offers a deeper level of understanding and appreciation for lived experiences with the nuances, contradictions and complexities becoming visible through time. Commonly throughout my fieldwork and relationships with the individuals in this study, I found contested and contradictory views existing simultaneously about and within the same space. I highlight these contradictions throughout the text and by doing so seek to understand the historical and social realities of Cape Town as a space, which influence these contradictions.

My research methodology therefore calls for various forms of research inquiry in an attempt to draw at the tangible and intangible world of people’s human experiences and narratives. It is at the same time messy and continuously shifts depending upon the space I find myself. In Chapter 4, I present my research using my feminist qualitative methodologies as outlined above but with ethnographic insights and field notes that supplement my interview data. I integrate these deeper reflections as a fifth chapter to illustrate to the reader a more humble reality of contradictions and ways of life I was exposed to during these two and a half years.

## Research Questions

There is uniqueness to this project, as with all research undertakings. Marjorie Shostak notes,

“Personal narratives do not exist independently of the collaborative process involved in their collection. People’s stories are not in the final form, shape and content waiting patiently for a glorified mechanic (ie biographer, anthropologist or the like) to open their “verbal tap” allowing the performed story to escape. Instead, an interview is an interaction between two people; one, with unique personality traits and interests at a particular time of life, answers specific set of questions asked by another person with unique personality traits and interests at a particular time of life” (Shostak: 232).

This research began with the following questions, and then took on a deeper form through ongoing meetings, interactions and sharing of experiences in the field.

*What are the lived experiences of sexual refugees who chose to migrate to Cape Town?*

Sub-Questions:

1. What is life like as an LGBTI individual in other African countries?
2. What has driven these individuals to move to Cape Town?
3. How do sexual refugees create a safe space for themselves in their communities?
4. What experiences of homophobia, gender based violence, xenophobia, and racism have they experienced here in Cape Town?
5. How have policies and programs succeeded - and failed - to address the horror of homophobic violence as well as support for LGBTI refugees in Cape Town?

In the second phase of field visits and follow up visits, I then expanded my observations and inquiries around resilience, agency and hope.

1. What has been the greatest positive impact since your arrival in Cape Town in your life?
2. What forces in society do you feel influence how you feel about yourself and your identity in Cape Town?
3. How have you dealt with your circumstances? Are there examples you can draw upon that show how you dealt with a difficult circumstances and overcame them? What does survival mean to you?
4. You have triumphed over adversity. Despite the odds, what do you do to negotiate being happy and finding joy in Cape Town?
5. What you like people to know about you?

Methodologically, once I understood how complex the realities of these individuals were, I needed to re-evaluate the approach and offer a new way of writing about life narratives. Theoretically it is important to note that without a deeper understanding of what the issues are and what needs to change, any choice of strategies is likely to be flawed" (Pereira 2008: 113). I learned in retrospect that my strategy was flawed in the beginning. I hope that in this process, I have attempted to mitigate that approach and seek a more positive approach to understanding the lives of LGBTI individuals.

## Positionality

*"Be prepared for endless waves of transformation" unknown*

My representations of positionality during my pilot study conducted in 2010 were elementary at best. A good exercise for the gender studies academic but as I reflect on this process now over my second year of this Masters dissertation, I realize that this two and a half year journey is not simply about analysing my racial or gendered background (although relevant). My journey of reflexivity and understanding positionality occurred through a process of acculturation and imbedding myself in a particular space and context. It is worth noting that my first work during the pilot phase was fuelled by a deep-set anger at the reality of LGBTI individuals and the volatile political realities that exist across the African continent. Later, my work into 2011/2012 has now taken on a certain level of finding possibility and realizing that how I live my life and the way I write affects my wellbeing as well as the wellbeing of others around me; wellbeing being the key word here. The participants in this study are not individuals who simply are stigmatized or discriminated against, but their lives are in mortal danger. Across all provinces in this country and the African continent, LGBTI bodies are raped, pillaged and often left for dead.. As a researcher, I am aware of the serious implication of doing research with individuals in a highly vulnerable and dangerous situation. I am responsible for their wellbeing, confidentiality, and safety. I am cautious of the way I interact with each individual in their 'spaces', especially within the townships, because I am aware I already draw attention to myself as the white, blonde, Canadian researcher. I therefore had to be additionally introspective and acutely aware of the way I may jeopardize their safety and visibility.

During these pensive positionality moments, I also came to realize I had not given any thought to me, the other person in that interview room during the pilot year. What did I feel? I began to realize that I lacked any further reflection on my emotions and my inner self as I went through this process. The nervous sensations I felt walking into a room, thrilling yet scary not knowing who I was going to meet followed by buzzing energy vibrating through my finger tips as I handed them the interview consent forms. I actually entered into numerous spaces and requested strangers to cross the threshold of personal comfort zones and squarely request them to confront their most violating, traumatizing and painful memories and events that has scarred and shaped their individuality and life today and

share these with me. This was a deep realization. I sat uncomfortably with the knowledge that this painful process was all in the name of “research”. I felt like I was using these individuals, so that I could demonstrate that their gendered bodies of lesbian, gay, bisexual, transgendered, queer, and intersexed could be used to pass my dissertation from the African Gender Institute. The shadow of guilt crept into my thoughts, a growing disconnect formed between academics and real life and it felt cold and strange. Why did I want to do this again? Why would I put them at risk like this even with all the ethical considerations? These thoughts were particularly jarring.

I picked up a book I was reading and the first quote in front of me read, “As you change your mind, you change your experience” Serge Kahili King. I wanted to ensure that I went back and reflected truly on how I was “being” in the spaces with my participants as well as how I was listening. I met with my supervisor in early 2011 and as I was venting my frustrations of being stuck in my writing process and not sure how to represent my participants, she abruptly stopped me and said, “Heidi, your job is not to represent another. Your job is trying to listen well.” The two words, “listen well” struck me. Had I been listening well or was I too eager to tell another’s story based on what I found to be important based on my naive experiences? I reflected for weeks on this idea. I began to understand that my biases had created the kinds of spaces and ideas I wanted to see and the kinds of stories I felt were important to portray but not entirely accurate of the individuals’ reality.

The invasive encounters, which I call “interviews”, were one of the most important moments that induced reflection and understanding my positionality. Marjorie Mbilinyi explains, “Researchers have become increasingly self-conscious about their location in the research process and the social relations within which they produce knowledge” (Mbilinyi 1992: 35). Hawkeworth (1989) and Mbilinyi (1992) explain that our identities are not simply a reduction of our outward locations, such as skin color or nationality or sex but rather a deeply rooted product of power, whereby notions of “self” are shaped by cultural, societal, political, juridical, religious, and other institutional constructs based on the hegemonic power. Questioning the epistemology of our own identities and ideas is a focus of critical feminist research methodologies. While understanding that my own position of power as the person holding the digital recorder, the real process of understanding positions of power and notions of self were much more cumbersome. Personal reflection is not as easy as one would imagine, and the process was often taxing and draining. Once that process had



begun and my immersion began to unfold, friendships formed and there was a lens made available to me to see into the lives of people who all had some form of uprooting and trauma happen to them.

This was of course, only one angle in the kaleidoscope of my reflection. The feelings I just described had a physical effect. On more than one occasion, I cried with my participants during the interviews. Multiple nights over many months, I woke up from nightmares related to torture, rape, abandonment and fear of being killed. I had broken sleep, increased stress and a mental deterioration for the hope in humanity. My masters had not prepared me for this. It was easy to fall prey to the spiral of negativity and it swept over me like a wave crashing onto the shore. Perhaps it was due to being unprepared for these experiences or perhaps it was a standard phase all researchers go through, at least though involved in human rights abuse issues. Alternatively, perhaps the simple answer was I had a heart and cared. Whatever the reason for my negativity, my mind etched these stories into my consciousness and repeatedly were recreated by my imagination. I could not have prepared myself for the feeling of what it would be like to carry other people's stories on my shoulders. The weight was heavy and it was difficult to know what to do with all the information I was holding onto.

Aziza Ahmed (2005) explains the importance of considering one's own positionality within feminist writing, "The definitions of the terms I use to describe myself differ through time and space and by person. Being young, for example, may be a state of mind and not just a numerical age. Being young for some also means being married with its concomitant sanctioning of certain sexualities. The ways in which we identify ourselves are based on a negotiated process of who we are, who we choose to be, how we identify ourselves and how others label and control us" (Ahmed 2005: 21). Feminist research stresses the importance and interconnectedness of the researcher to the research process. This includes how the researcher's personal histories, identities, experiences, opinions, biases, race, class, gender, sexuality, and so on all contribute to the thinking and formation of their research. I recognize then, that the research process is evading deeper meanings and anxieties for me now as I complete this research project. Jane Bennett writes that one of the most persistent anxieties in writing on feminist research involves the possibility of violation through the process of research, the likelihood of "doing harm" (Bennett 2006: 3).

Mbilinyi (1992), Stanley and Wise (1990), Amina Mama (2000, 2007), and Levett et al. (1997) all explore how identities are influenced by external forces, our relationships with others which are historically, socially, and culturally specific. The institutional and ideological structures and relations (Levett et al: 1997 8) have influenced all what information researchers find relevant in their data collection and how meanings are derived. The “personal” and the “researcher” are intertwined thus the research and writing processes are inextricably gendered and knowledge production can never be neutral.

I cannot escape my location and my own subjectivity. Marjorie Mbilinyi explains, “No one vision or gaze is free from bias and distortion. There is no “one” authoritative knowledge, should we argue otherwise, we build a case for authoritarianism (Mbilinyi 1992:54). Amina Mama describes the importance of a researcher’s positionality,

“It is worth recalling that one of the major contributions of feminist epistemology, enriched as it has been by the interventions of southern based feminists, is an insistence on being constantly alert to the politics of location and diversities of class, race, culture, sexuality, and so on... It also seeks to build an understanding of the connections between the local and global, between micro-politics of subjectivity and everyday life and the macro politics of global political economy” (Mama 2007:152).

Perhaps one of the self-interrogations I have been reflecting on is the juxtaposition of my ‘Western’, ‘Canadian’ ‘heterosexual’ location in combination with the ‘researcher’, ‘LGBTI ally and activist’ positionality here in South Africa. My whiteness, Canadian accent and foreigner status are obvious visible markers that I cannot change. In fact, to my surprise, this was an advantage for me during my data collection. My Canadian accent somehow made the participants feel at ease to speak to me about their life stories. On numerous occasions, the participants mentioned how comfortable they felt talking to me, that some of the information they had never told before because as a foreigner, the participants felt less threatened to tell their stories. This reflected the fear my participants had towards revealing personal identity information towards local South Africans, which as I later found out was because they had continuously dealt with a population that does not understand sexual minorities. My sexual orientation created an invisible rank of privilege; however, our relationships did not suffer because of that. Through my interactions, it was clear that a political complexity underpinned feelings of lack of security at the same time; these

complexities also shifted power to me as a researcher to access critical information. Each encounter I had with the participants, I attempted to make my entry unobtrusive and position myself as an equal; however, my skin color situated me as different and my clothes situated me as economically privileged. Studying a Masters at university situates me as intellectually and socially as a researcher and privileged, someone with power, knowledge, and despite my attempts to be humble or quiet about my position, inevitably I could not escape those realities and had recognize the influences that had on our friendships, conversations and spaces we created and occupied together.

Kelly's (2006) 'insider – outsider' theory discusses the challenge in reflexivity in qualitative research as one must be true to the voices being researched but also having the position as a researcher and outsider is challenging – we need not only to understand, but actively interpret voices of respondents (Kelly 2006:351). The process of examining the transcripts and data was a complicated and I needed to interpret these based on my own beliefs of what was important to share and what was relevant to answer the research questions. It was also very challenging because at the same time I felt as if I was treading along the murky spectrum of researcher, advocate, and friend and thus *living* in a space, which I could at times, be all three, which would affect my own self-location, and the representation of the voices of those I interviewed.

Many politicians blame the west for “Africa’s problems” and they are right to a degree for the rhetoric around these issues; In the Together Apart Report from Human Rights Watch, a South African activist quotes,

“The West, the IMF, the World Bank, push structural adjustment plans on these countries. And they are starved and devastated by it. Food is unaffordable, health care unavailable, educations, opportunities, pensions are all gone. And the populations are enraged, rightly...And so these governments are precarious and terrified. The people are roused up against them, and there is no one to support them...And what do the governments find? They say “homosexual” and two sorts come running to them: The Christian churches and the African traditionalists, two groups who usually won’t even speak to one another come flocking behind the government’s banner. Suddenly they have support. It’s a magic word.” (Human Rights Watch 2009: 10).

I reflect on this statement as a way to come to grips with the reality that due to my location and position as a “Westerner”, the activism and messages I write and research are ultimately tied to the misunderstood opinion that I am pushing my western values within a

South African political and social space. What is problematic then is that the popular mainstream rhetoric states that homosexuality is “un-African” (see [igla.org](http://igla.org), Human Rights Watch 2003, IGLHRC 2009) and therefore any academic writing and advocacy proving otherwise is immediately disregarded by superficial surface assumptions. Thus, it is revealing that even though human rights are not just western ideas and goals but a global movement, individuals still refuse to separate “west” from basic human rights and protections.

## Participants

The smaller sample size was a deliberate choice. Despite this being a limitation with the data, it simultaneously allowed for deeper relationships and meaningful ethnographic observations over time. I met my participants through LGBTI organizations – Gender DynamiX, Triangle Project, PASSOP, Free Gender and IGLHRC. I held additional interviews with the service providers at these organizations as well; however, in the end I felt the need to leave that out for this research and use it as contextual background information. I also met with many other LGBTI individuals who were not refugees and they provided additional material for the contextual understanding of Cape Town as a space. Even though, strictly speaking, we cannot generalize from small-scale qualitative research of this type, if “a given experience is possible, it is also subject to universalization” (Willig 200:17). Thus for me, by carrying out this form of qualitative research, I am able to show that these experiences, though not holistic, still exist within a culture or society which holds relevance to the study. The participants ranged from age 21 – 27. The selection of the participants was done randomly through the interactions I had with LGBTI organizations. I did want a range of experiences and therefore ensured to have perspectives from individuals who self identified as lesbian, gay, transgender and intersexed.

## Data Collection

At the root of this research is a feminist qualitative and ethnographic approach. Semi- structured interviews provide the best option to capture the personal narratives in the beginning. I engage with the narratives that participants were willing to share about

their experiences around sexual refugee hood and the spaces they create for themselves. The interviews were many hours long. Transcribing the interviews allows for a greater reflection around what was shared in the stories. Going back to the transcripts after a period also was useful to re-look at the work with fresh eyes, thematizing according to the main frames that were shared.

In addition to the interviews, ongoing visits were held which spanned over the two-year period. These visits were mainly to the households and communities of where my participants lived, Mandalay, Khayelitsha, Makaza, UWC, Mowbray, and Wynberg. I kept field notes for most of these visits. Because gender and sexuality are inherently personal and merged with lived experiences, capturing the nuances and stories in their every day environment was much richer with insights and played a large role in this research process in addition to the transcripts. In order to understand the lived realities of sexual refugees, I explore the range of stories, paying attention to the emotions and influence the external spaces had on their experiences.

## **Ethical Considerations**

To prepare for this research I had to familiarize myself with the University of Cape Town's code of ethics guidelines. Although in the beginning, I followed the guidelines as professionally as possible. I approached all participants who took part in my study and explained the full purpose of the research them fully in which they had the freedom to accept or decline the offer. All of the refugee participants were first contacted by Triangle Project, PASSOP or Gender DynamiX before I did so that the participants felt safe and reassured that the research was carried out by a responsible researcher and affiliated with the African Gender Institute. I created an in-depth consent form that outlined the purpose of the research and how I intended to use the information gathered. All participants chose their own pseudonyms. I did not carry out an interview without fully informed and signed consent. I adhered to issues of confidentiality of the participants and to me this was of utmost importance. I kept recordings of the interviews confidential and only I have access to them. Throughout the analysis below in chapter 4, I upheld confidentiality and all possible identifying information has been changed or altered slightly. Participants approved all

quotes used prior to finalizing this paper. They had the freedom to change or amend any of their comments.

However, despite taking these precautions, I came to realize that research in the field fraught with contradictions, failures, successes, loneliness, and joy and often on ambiguous terms. Even though the participants knew that I was doing this research project, we formed friendships during this process and it was difficult to balance the researcher/friend binary. Ethically, I have kept some information off the record and refused to write about it in this study due to their wishes and my own conscience. It is difficult to create such a deep bond with someone knowing very intimate details and trying to remain detached and neutral as a researcher. Clark explains, as researchers, we choose to enter the lives of others, especially those in vulnerable situations and at pivotal points of time with intention of both giving voice to the depth and richness of individual experience and accomplishing socially relevant changes within the contexts examined (Clark 2007:2). The practice of conducting ethical research has been theorized and discussed at length. This has ethical implications because there is a relationship at the heart of the matter. My primary responsibility is always to my informants. However, the level of responsibility is a great one; each of their lives remains in seriousness danger in this city. This potentially has political and social consequences. Both the participant and I are entering into an unknown territory. The trust therefore grows and becomes more personal to a point where some of the individuals were revealing stories they had never told anyone else before. There is a personal responsibility I have in this process, as I have been a witness to a revived personal story of violation with horrendous and devastating details. I had to ask myself, what other responsibilities do I have after the informed consent was signed? How do I treat vulnerable information given as reportable data? The possibility of recreating damage was very real. Yet, silence is not an option if we want social justice. In some ways, my work is unethical in the sense that the method is wild and free flowing and submerged in a space of daily risks and spaces without neat parameters. On the other hand, my work attempts to be accountable to myself, my participants and the reader, one of honesty and confessions, and self-exploring dialogue.

My final reflection around ethics is my position as a researcher. From the beginning, I quickly went from researcher to friend in a short period of time. These friendships will not end after this research process. Within the writing progress, I have to accept the inequalities

within this process and attempt to give voice in the most ethical and mutually beneficial way possible. It is for that reason that I try and make the participants voices as visible as possible within this text.

## Chapter FOUR: Data Analysis

*"Remember only this one thing," said Badger.  
"These stories people tell have a way of taking care of them.  
If stories come to you, take care of them.  
And learn to give them away where they are needed.  
Sometimes a person needs a story  
More than food to stay alive.  
That is why we put these stories in each other's memory.  
This is how people care for themselves."  
~ Barry Lopez (1990) Crow and Weasel*

### Critical Reflections on 'Pilot study' data analysis

Perhaps one of the biggest lessons learned during this research process was the critical shift in my analysis and thinking from the first year "pilot study" to the second phase and expansion of the project. Central to this learning was around the 'process' of production of personal narratives, especially my understanding and critique of my feminist goals of "representation". Whose reality and whose words prevailed in my analysis? Within this section, I have attempted to acknowledge the shortcomings of the pilot study analysis, which therefore informs and shapes my final data analysis, representations and co-created meanings that form the bulk of this section subsequently outlined in 4.2 of this chapter. In a way, this analysis on personal narratives and life stories is something of a personal narrative in its own right<sup>1</sup>. Karabo Mohlakoana argues, "Research experiences of individuals matter and should, in fact, be part of what any researcher theorizes in writing up their work" (Mohlakoana: 73). My work explores the questions I ask myself as a researcher around how best to handle the information I gather, the stories I listen to and how to present that fairly. I also explore questions around positionality and power in my analysis and the feminist principle of "doing harm". My analysis is a composition of "idiosyncratic constructions bound by the material and by my individual experience" (Shostak: 228). I offer them here as part of my journey and in hope that these reflections positively contribute to the shaping of the personal narratives in this research.

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<sup>1</sup> I really liked how Marjorie Shostak's article "What the Wind Wont Take Away" made her personal narrative research about Nisa also a personal narrative journey around her own ethics, challenges and presentation of stories. That resonated with me as I experienced similar concerns and felt I needed to include a similar idea into my own analysis.



During the pilot study analysis, I presented my feminist principles as “creating space for unheard voices” and “granting participants autonomy to tell their narratives the way they wish” using “non-hierarchical” and “participatory” approaches. Upon critical reflection, I felt as though what I wrote in the pilot study was at odds with the real realities of my participants, at least in the sense of critical gaps in their narratives that were unidentified and unexplored. The first study focused solely on the victimhood of the three individuals through the thematic analysis of constructions of homophobia, meanings of space in Cape Town and interlocking systems of marginalization. All three of these frames from contrasting narratives depicts a solemn, grey picture, yet I was reminded as I continued into the second year of research that, in fact, these were *my* feelings that prevailed throughout the research, my words and my reality of what I took from the interview questions I formulated. These stories were not really telling narratives as they wished but yet they were telling me stories that I set them up to tell. I created an analysis based around the human rights issue that I felt so strongly about, one that is far removed from my own world but one I felt more people needed to know about. However, as the second year of the study began, I spent an increased amount of hours with my participants, maintained relationships with these individuals, mostly as friends. The first interviews obviously overshadowed the other aspects and nuances of their lives. This could be due to the way the interviews were approached. After all, I was a foreign, white, heterosexual stranger interviewing someone about their life as a sexual refugee. What will inevitably unfold is someone telling me exactly what I want to hear. This set up allowed for the “lived realities of LGBTI refugees” as “negative only”. Surely, this social group of individuals are similar to other individuals in society, with a host of realities, influences and experiences that inform their daily lives.

As I became closer with some of my participants, there were two critical shifts in thinking. Firstly, my own emotional well-being was being compromised by taking on the reality of what I knew of these individuals was more than just a victim. In fact, that was not the sole part of their identity as I was making it out to seem. Thus began my analysis of my own contradictions and methodological approach in this research. Why was I trying to make their lives a sensational news story, focusing on the most traumatic examples from their lives and hoping the world will find it as horrendous as I do? There was a problem with this thought. I was not happy with myself and with the approach of exploiting someone’s trauma to move my own agenda forward.

The second critical shift, and very much related to the first, was the realization that what I initially wrote in the pilot and what I witnessed on “friend” time, were quite contradictory. The participants defined themselves as more independent and resilient as opposed to someone who is defined as a victim of society’s heteronormative and homophobic tendencies. Stacey raises important theoretical questions of authority of “co-interpretation” of researchers and participants working together. She discusses the questions around truth and validity in research, especially when participants wish to conceal aspects of their identity (Kirsch 52). The process of co-interpretation did not happen to the extent that it should have during the first stage and because of that the “lived realities of sexual refugees” was distorted since it was only a very narrow reality of their life being highlighted. In a debate over representation of data, Kirsch engages with Elizabeth Wheatly’s post-modernist critique of researchers “epistemologically induced turmoil” (Wheatley 408) of leaving details out. Wheatley remains convinced that this turmoil is due to the researcher’s position of being trapped in a positivist paradigm because of the individual “troubled feelings of the politics of representation” (Kirsch 1999:52). While this argument does hold its merits, as many post modern feminist researchers advocate for a complete, detailed, and a systematic process in the research while simultaneously acknowledging the limitations of their work in terms of theoretical, personal, historical, and cultural factors (Kirsch 1999:52). Conversely, Kirsch argues that while limitations are necessary to highlight, it is also important for researchers to be accountable for the full range of the research they collect, not simply the elements that best support their argument (Kirsch 1999:53).

The process of co-creation and collaborative research has been an interesting one. As Kirsch explains, it is critical for researchers to be accountable for the narratives they produce by making them as accurate and exhaustive as possible, despite the positivist undertones of this advice” (Kirsch 54). I felt that 2011/2012 has particularly been a cosmic space of change, and particularly with the way I approached the Masters research. I learned new values and principles in my study and particularly with the way I engage with the data, tell the stories and represent a truer picture of the people presented in this paper. It is no longer a piece on advocacy. This dissertation is a representation of the *research process, the transitions and transformations that occur* during a research undertaking and lastly and

most importantly, it is an attempt to delve deeper into the realities of sexual refugees and their experiences in Cape Town but one that is more holistic and real.

## Data Analysis

This chapter explores the different cultural/ discursive, regulatory/ institutional and racial/class norms that inform and compel the sexual refugees in this study to conform (or not) to gendered sexual binaries which are socially constructed and produced. I argue that these performances of sexuality are constantly negotiated, justified, and re-normalized within a context of a hegemonic heteronormative spaces of what it means to be male/ female, masculine/ feminine, heterosexual/ homosexual thus shaping the identities and lived experiences of their sexual refugeehood in Cape Town.

The stories and experiences within this chapter have accumulated over the last two and a half years and are representative of the trends I observed in my first and second level analysis. Each participant's life is enmeshed in their own individual and historically specific condition of experience. The lives I interact with share many similarities with other sexual refugees and these similarities are also echoed by service providers I have interacted with from Triangle Project, Gender DynamiX, IGLHRC, and Free Gender. However, the stories are suggestive and offer a series of human experiences which helps create an understanding of the multiple truths to the gendered identities and lives of sexual refugees here in Cape Town. There are more stories which are not represented here as the full range of data was too much for this particular project and impossible to retell all the stories. Gisa Kirsch explains, "True, in qualitative research there is always an overabundance of data from which researchers must take selections. What concerns me, though, are the selections which obscure or distort the complexity of the scene of the research" (Kirsch 1999: 53). I do not contend that the individuals all have similar *experiences* but these narratives do generate knowledge around the power of gender and sexuality discourse in shaping identities, reifying heteronormative and homophobic spaces and environments.

Valocchi (2005) highlights the importance of constructing an analysis that not only describes the nature of the performance of sexuality itself but also how this performance is informed and in turn informs the particular socioeconomic, cultural, political and even racial norms. My analysis of the lived realities of the participants attempts to do that. I complete a

first level analysis by sub-dividing and thematizing the transcripts and field notes, noticing the clearly present conventional heteronormative binary of sex, sexuality and gender. Patterns emerge through various levels of analysis through deconstruction and reconstruction around these traditional heteronormative binaries and socially produced categories. Using a queer analysis, I consider how these performances are then influenced by other variables and external factors that shape the sexual identities in the first place which then validate, reinforce and ultimately reproduces these sets of norms. This second level analysis allows for the queering of the categories socially produced and the intersectionality this has on identity and body politics – such as race, class, ethnicity, culture, history, socio-economic status.

This research undertaking remains highly political and currently across Africa, LGBTI human rights defenders are continuously threatened, harassed, abused and even killed. My own experience leads me to believe that there is no quick-fix remedy or simplistic solution to undo the level of homophobia and gender based violence on this continent and that there is an ever-deepening requirement for increased solidarity, advocacy and research on this issue. Given the inevitable difficulties of this work, I am particularly moved by the words of Fikile Vilakazi speaking about the violence against black lesbian women in South Africa, “We need action. Something needs to happen and I think we are talking about people’s lives here. People are dying, people are being assaulted on a daily basis...We need to begin to talk about the fact that we have a right over our bodies in our sexuality. Is this the freedom we were fighting for? Is this the country we want to live in?” (Mkhize, N., Bennet, J., Reddy, V, Moletane, R. 2010. pg 35).

### **Constructions of Analysis and Understanding “Truth”**

The lives I present in this study have a plurality of truths. Each holds their own truth of experience, history and perceptions embodied in personal narratives they shared. There are multiple truths to a life. The multiplicity of truths and realities of those I worked with during this study only began to emerge once I allowed myself to be actively involved in their lives over a longer period after the initial pilot project in 2010. There is a Confucius quote that says, *“Tell me and I will forget, show me and I may remember, involve me and I will*

*understand*<sup>2</sup>.” Understanding the bigger picture of the complex lives of refugees in my research came about only through increased involvement, discussions, and interactions in their lives. This allowed a greater scope and clarity of the nuances and complexities that I overlooked during the first round. Marjorie Mbilinyi suggests that the most creative processes of producing narratives comes directly from the increased interactions and comfort with each other, when the relationship can be one that is honest and free (Mbilinyi 216). This understanding of multiple truths has thus shifted the process of the production of narratives and the representations and stories of those refugees.

What I present in this analysis is an engagement with prior interviews during the pilot study and more recent field notes recorded over 2011 and 2012. By contrasting the narratives and experiences against one another, I present an increasingly active interpretation and a richer perspective on the lives of my participants in my study. The analysis and narratives within this research are recollections of people’s memories. Memories can be distorted in reality; there can be details missed and important emotions and events glossed over. The Personal Narratives Group highlight that personal narratives give us truths of our experiences, not necessarily as it actually “was”. None-the-less, there are still truths within the stories presented.. Personal narratives are not the result of empirical research or the logic of mathematical deductions. We come to understand them only through interpretation, paying careful attention to the contexts that shape their creation and to the worldviews that inform them. Truths within personal narratives also make us aware that our own place in the world plays a part in our interpretation and shapes the meanings we derive from them (Personal Narratives Group: 261). This analysis therefore focuses more so on the joint interpretation of the stories and my role within that representation and re-collection.

Since this project is grounded in the search of meaning and realities in the lives of LGBTI refugees in Cape Town, personal narratives are essential primary documents for this research. These narratives present and interpret sexual refugees’ life experiences and in their many forms, over time, illuminate the life course not only from the lens of a victim but allows for the space of hope and possibility within that interpretation. The very act of giving

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<sup>2</sup> I came to embody this particular Confucius quote earlier this year when I began working for a Youth organization called the RedZebra Youth Empowerment Foundation. This is their motto and I have found it to be particularly powerful in helping me re-assess my thesis project and the whole idea of understanding through long-term involvement.

their story requires, at least implicitly, considering the meanings and space of the social dynamics, the cultural differences, and societal influences shaping sexuality, identity, notions of self etc. Marjorie Mbilinyi explains, “The act of constructing a life narrative forces the author to move from accounts of discrete experiences to an account of why and how the life took the shape it did. This how and why – the interpretive acts that shape a life and a life narrative – need to take as high a place on the feminist agenda as the recording of experiences” (Mbilinyi: 5).

### **Authorship, Relationships and Co-Creations**

Who was responsible for creation of the narratives and recollections? What processes needed to happen to co-create stories of representation? Who were the real authors? The reality was some of my participants did not have an interest in the academics of producing a narrative. Henry, for example, laughed when I asked for her review of her stories; “Ah, it’s Ok. Me I know I’ve told you everything”, she said. Perhaps it was the language barrier. Henry was by far the most challenging to communicate with on a deeper level; however, we spent so much time together that she just enjoyed my company and I tried to double check details with her on our frequent visits in Mandalay, Khayelitsha and Makaza.

Kirsch asserts, “Participants may lack the time, interest or the expertise to offer reflections on researchers’ interpretations. Or they may be intimidated by researchers’ background and education, may object to ways in which they are represented, or even insist that researchers withdraw critical data (Kirsch 54). There may be any number of reasons that research is not fully engaging with participants and researchers alike, and this was the case with my research, where principles of collaboration and negotiation and a full picture of lived realities were only partially realized. The collaboration improved from the pilot stage and details were verified with participants and ideas shared in terms of the representation of their stories and what details are important to convey to the reader.

The co-creation of these narratives therefore was a particularly enriching experience and one that helped me understand the plethora of nuances within their lives. The process was challenging and full of imperfections but the lessons learned were immense. The Personal Narratives Group states, “we maintain that personal narratives are particularly rich sources because, attentively interpreted, they illuminate both the logic of individual courses

of action and the effects of system-level constraints within which those courses evolve. Moreover, each life provides evidence of historical activity - the working out within a specific life situation of deliberate courses of action that in turn have the potential to undermine or perpetuate the conditions and relationships in which the life evolved" (Personal Narratives Group: 7). These stories illustrate the way androcentric hegemony informs identities and notions of self, space and freedoms. It also shows that individuals have many truths and contradictions co-existing at the same time.

Throughout the course of this analysis, the reader will notice three voices that come through. The first is the 'first-person' voice(s) from the five narratives that have been translated and edited from recorded interviews and field notes. The second voice is the "official" gender studies student, putting the stories into cultural frameworks, frameworks of power, gender performance, and feminist theory, weaving the inter-sectionality of the stories together with as much of a gendered queer lens as possible. The third voice was my own, not as a gender studies Masters Student but as a young Canadian woman experiencing another world different from my own<sup>3</sup>.

### Contrasting Narratives: Representations and Recollections

*The study of landscape is much more than an academic exercise – it is about the complexity of people's lives, historical contingency, contestation, motion and change.*  
Bender & Winer 2001, p2

After much reflection on my conversations and field experiences with my participants, it was clear that I had begun to immerse myself in a highly complex political and social space in Cape Town. In this chapter, I present my analysis around five life histories of sexual refugees as a way to seek to understand the lived realities of sexual refugees who migrate to South Africa and why this is a growing phenomenon on the African continent. In order to do this, I have used a thematic analysis to organize the narratives. I unpack two key overarching themes that came alive throughout the process my time spent with these individuals, gender (non) conformity and the creation and negation of spaces. Within these two themes, many sub-themes emerge around identity, and performance of gender and sexuality. Furthermore, *how* one performs is also in relation to interlocking systems of marginalization from institutional, cultural, discursive and regulatory structures

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<sup>3</sup> The idea of the multiple voices comes from Marjorie Shostak's article, "What the Wind Won't take away" The genesis of Nisa – The life and Words of a !Kung Woman.

and spaces in society. Within the theme of spaces, I look at the context of Cape Town as a space and the process of negotiation of safe spaces. Each participant chose their own pseudonyms and names of identifying information about their identity, such as hometowns, workplaces etc. have been altered in order to uphold confidentiality. Within this chapter, I first present narratives and my own analysis from the interviews. This is then followed by a theoretical significance section that connects the lived realities of these refugees to the literature utilized within this study.

### Gender (non) Conformity

*There are as many genders as there are people ~ Anne Watts*

*“Why couldn’t I just be normal? I sometimes think if I was just normal, if I was just a normal boy (long pause, tears fill her eyes).... What am I here for?”* I sat for hours with Sasha talking about what is a ‘normal’ sexuality. Sasha is a transgendered woman from Zimbabwe. She remembers never feeling or acting like a boy from her earliest childhood memories. Despite being born with a male body, she identified with female roles, dressed up in women’s clothing and preferred to be around other girls. Sasha said she has *always* been a woman trapped in a man’s body and was aware of her difference from an early age. She explains, *“It’s not your choice, you don’t just wake up one morning and decide you want to be a trans woman, or you want to be gay or you want to be lesbian.... can you think I really want this?... It’s not normal.”* The bifurcation between ‘abnormal’ and ‘normal’ was frequently referenced by all participants in my research. It became clear that having any form of same sex desire or transgressing gender identity was deemed as deviant from the heterosexual norm in their respective cultures and communities. Sexuality and gendered identities were constantly compared against heteronormative majority which therefore created feelings of being “abnormal” in society.

*“So as time went on as I was growing up, I was actually figuring out that I am actually... I am.... sort of.... a weird person... there was something wrong with me.”* Marcus is a young gay man from Zimbabwe and his sentiments of being “weird” echo Sasha’s feelings of abnormality as well. Through our discussions, I come to realize that Marcus justifies his weirdness because whilst growing up, he did not fit the expectation of ‘boys are supposed to like girls and girls are supposed to like boys’. He was taught that anything that



falls outside of that binary is therefore weird. *"I pretended to have girlfriends to be normal,"* he explains, *"but I always liked boys."*

Billy is a refugee from Rwanda. He recounts, *"When I was alone in my room, or somewhere where I could find myself alone, I could start questioning myself, a THOUSAND questions.... what on earth am I?"* Each person I sat with began their life story with how they came to know they were gay, lesbian, transgender....abnormal. I witnessed the remembrance of those moments and the pain and confusion that lingered of a difficult childhood of not fitting in and not belonging. Referencing gender in their stories created a justification of their identity now, a certain gender status within existing systems of power and heteronormativity. Whether the individuals have accepted gender norms or defied them, their gender roles are shaped and compared against a certain conceived notion of gender binaries - what it means to be female, what it means to be male and how their sexuality conforms (or not) within those fixed rigid taxonomies. Henry is a lesbian woman from Uganda, *"I didn't know I was a lesbian. In my culture we don't have that word, but I was liking the ladies too much."*

*"I was the taboo child,"* says Sasha, *"That's when I realized, no, I was not going to enjoy my life."* According to Sasha, Billy, Marcus and Junior, no one would *choose* to be LGBTI, therefore to "BE" a sexual minority meant that one was abnormal, crazy even. *"Being me is not easy...being one of 'those'... (sighs)... it's not easy being us"*. I felt empathetic towards the marginalization each one of the participants suffered. Automatically situated along the periphery, "us" versus "them", they were the "other". I asked Sasha why she felt a level of disgust and unhappiness with herself, being one of "those". She explains that she just wanted to have a 'normal' female body with breasts, a vagina and curves. She wanted to be pretty like other women and wanted men to like her. In our discussions, she further clarified that even *if* men did like her, once they found out she was transgender, they would immediately disappear, leaving her feeling even more self-conscious, alone, depressed and re-enforcing her belief in being the "taboo" child.

It is crucial to highlight how this performance of sexuality is informed by particular social, cultural, historical, political and even racial norms and constructions. Each one of these individuals comes from their own respective history, family, culture and experiences outside of South Africa. Their understanding of what is normal/ abnormal has been learned, socially constructed and re-constructed over time. The two strongest influences identified in

my analysis were the family structure and the church. These two major influences fed into the self-explained constructions of identities, of belonging/not belonging and to their own self worth.

Firstly, I observed that family structures significantly contributed to the level of personal suffering experienced by the individuals in this study and family abandonment was one of the main reasons for their refugeehood.

“My mom, she tried to kill me,” said Junior. “The priest told her that your child is gay, you are a false Christian. She was so angry and disappointed. She took a syringe of gasoline and tried to end my life. My dad then spread the news of my homosexuality to the community and local boys began beating me. There was a notorious group that hunted homosexuals and I had to leave. My life was in danger and I had nowhere to go, so I came to South Africa”. (Junior 2011).

Junior’s experience is sadly not uncommon. Talking to service providers at Triangle Project, Gender DynamiX, IGLHRC and Free Gender, I became aware that family abandonment was one of the main reason for most LGBTI refugees coming to Cape Town and/or reasons for being homeless and on the streets. *“My uncle and my older brother’s friends all raped me several times. They knew it was wrong but they raped me again and again and again. I had to leave.”*

Not all families were as abusive as Junior’s, but with limited family or support structures, these individuals faced increasingly difficult circumstances. For Marcus, his family told him he would only be welcome back in the family when he is no longer gay. They told him, *“If you want us to support you, you must have a wife and children.”* Henry’s family in Uganda do not know she is lesbian and she purposefully avoids telling them, *“They would abandon me if they knew,”* She explained, *“You have a boyfriend in the public and a girlfriend in the private. If they catch you, prison for life or they will kill you.”* Throughout my research I uncover that Uganda remains one of the most horrifically homophobic countries in Africa.

Because sexuality is rarely understood and taken for granted, it is hard to bridge the conversations with families to talk about one’s sexual identity and desires. The closet is a lonely space. Talking “sex” is taboo in many cultures and becomes even harder in conservative traditional societies. Billy grew up very close with his family. His biological parents were killed during the genocide in Rwanda but his uncle raised him like his own son.

He was wealthy, well educated and travelled. When his cousin found his gay videos in his room, his once very loving and supportive family turned on him, accusing him of being a prostitute. They would accuse him, *"You pig! You have everything. What did you miss? You eat, you have nice clothes, why did you have to become a prostitute?"* Billy explained that in Rwanda, homosexuality is very wrong and people assumed that if you were sleeping with other men, you automatically were a prostitute. After his family found out about Billy's orientation, he was physically beaten for days by his family. *"I just wanted to die,"* he said.

As I listened to the narratives over time, I came to see the regular occurrence of family, friends and community members terrorizing and violently threatening their lives. For Sasha, people would throw rocks at her on the streets, break windows in the family home. Men threatened to rape her as she walked by, *"If you want to be a woman, I'll show you what it's like to be a woman"*. The family unit now affected by her "difference" act outwardly towards her in a confused and abusive way. This was experienced by the others as well. Sasha explained,

"What was most hard for me is my parents didn't understand what I was at that time. So they would say, 'why can't you just be normal?' ... They actually thought I wasn't normal at that time because I remember they would say, 'why can't you just be normal, even if you are gay as people are calling you,' ...this is what they used to say, 'why can't you just act like a boy but inside you are knowing you are gay. Be in a relationship with someone behind closed doors.' So for them it was like they didn't even know what was going on and I also wasn't sure what was going on but I KNEW I was a girl. So why is it so impossible for people to know that I am just a girl? And I don't date girls, I actually date boys and I wanna wear a dress, I wanna wear heels, I wanna play with girls, I relate to girls." (Interview Sasha 2010).

As mentioned above, the social construction of what is "normal" and "abnormal" was very clear for the participants in this study. I explore the argument around the physical performance and visible elements that mark sexual minorities as different, abnormal or the "other" as shared above, which leads to the experienced homophobic backlash, and discrimination. I have observed that the degree to which ones sexuality and gendered identity diverges from the binary heteronormative view of male/female or masculine/feminine spectrum, the more discrimination they would experience. For example, levels of campness or femininity performed by gay men or masculinity for women were main markers around queer identities and how the heteronormative majority would judge or

categorize sexual minorities. From these markers, there is a constructed hierarchy of gender bias around sexual identities based on how 'queer acting' one was. For example, a straight-acting man is not bullied nearly as much as an effeminate, flamboyant or androgynous man. The challenge for straight-acting men like Marcus, for example, is there is a level of performance one must continue in order to retain these qualities to fit within a stereotype of what it means to be a man or masculine. By and large, Marcus explains that he is able to escape the stigma of being gay as he can assimilate into the normative heterosexual community relatively easily. Junior on the other hand is much more effeminate and subject to higher levels of homophobia within Cape Town.

The same labels are experienced by lesbian women. Feminine lesbians for the most part can fit comfortably into what is a "normal femininity" of how a woman is supposed to be therefore not setting off any gender alarm bells to the greater society. It is the busty, short-haired, male impersonating women that are subjected to the fringes of society and especially in the townships of Cape Town. Discussing stereotypes with Henry and her friends, butch lesbians are at a much greater risk of corrective rape. Henry, often mistaken for a man, is able to justify her maleness as an athlete or a tomboy. She says, *"Some of them they just keep ask me, are you tomboy, are you a lesbian? What are you?...I said, what do you think? He said, I don't know but to me you are a lady.. Me I say, if you see me as a guy, call me a guy, if you see me as a lady, then call me a lady... then I say, we came here to fix my car, we did not come here to discuss such matters"* (Interview Henry 2010).

However, on another level, the ill-treatment towards them also becomes normalized. Because these individuals were seen as 'abnormal', it was therefore a justified 'normal' reality to be teased, discriminated against and even abused. It became apparent to me that abuse and torment was part of the "normal" life of an "abnormal". Sasha explained, *"You get used to the pain. You get used to being treated badly. You get used to being frustrated and depressed."* This norm of cruel treatment is a perpetuated action which through its repetitiveness, becomes normalized and part of social behaviour towards sexual minorities and it starts from the household. It can come in all forms, verbally, emotionally, sexually, and physically. This was evident for all of my participants. However, contradictory to this internalized norm, homophobia, violence and discrimination were still seen as wrong and something that needed to change from the participants' perspective as well. The contradiction lies in knowing something is wrong but also internalizing and normalizing the

insults, abuse (verbal, physical, sexual) like this was just part of life and they had to get used to it and move on. Billy found that his teenage years were the most difficult. His uncle was a diplomat and therefore had the money to send him away to an all-boys catholic boarding school. Other boys would tease him that he was a girl, that he looked like a girl and that he was gay. Billy recounted the horrible sinking feelings he would get when he would wake up in the morning and find his name slandered on bulletin boards, lockers, and in bathroom stalls. He would be bullied and beaten and even his teachers were discriminatory against him. He was abnormal, an outcast. As a result, the accumulation of mistreatment because of being 'different' meant that Billy attempted suicide twice before the age of seventeen.

What is revealed through this initial level of narratives is the society's construction of "difference" and the implications that come with that. A hierarchical pyramid of value is placed on 'difference' based on what is acceptable and celebrated down to what is despised and loathed. The 'body' is constructed as a sexualized object with very clear definitions of what it means to be a man and a woman. Within this rigid binary, the construction of these clear definitions are ironically quite nebulous at best with only very stereotypical notions of masculinity and femininity applied as the yardstick to which the gendered identities are measured against.

On an extreme level, gender conformity must be done for survival. Henry explained being a lesbian was unacceptable in Uganda and many people could be jailed for life or even killed. The fear of homosexuality created a tension whereby any small gesture of non conformity could be punished and often times could be wrongly accused. Propaganda from the Ugandan government preaches that same-sex relationships are unnatural and un-African and therefore if Henry wanted to be with a woman, it had to be kept underground. Henry relates, *"We know how to be silent"* (Interview Henry 2010). Silence also means perform as a heterosexual because anything other than that, is life threatening. Marcus remembers, *"My friend was beaten in front of me, they killed him because he was kissing a man in the park and he was... (sighs)... they decided to beat him until he died"* Marcus also performs as straight. He witnessed the brutality that came along with being effeminate. He then went on to share another story about his gay friend, *"He was in love with this guy and he was uh, arrested and they took him to the police. He was taken to one of our prisons so they managed to rape him, like gang rape in prison for being gay. He um, got HIV from that."* As I listened to their stories, the evidence of entrenched hatred against sexual

minorities was recurrent. Each individual needed to negotiate their identity against a rigidity set of heteronormativities. Marcus and Henry had less stories of direct homophobic attacks towards them due to their ability to blend into society unnoticed, whereby Billy and Junior being more effeminate and Sasha being transgender, their physical appearance and body language created a gendered identity of difference.

Identity and the formation of identity are full of contradictions and can be changed based on the circumstances surrounding the individual. How one portrays their identity in a seemingly safe space they have created is completely different than being outside with the judgements and perceived assumptions from other people. The negotiation of this identity is done so over and over again with different variables each time. Even if they are seen as gay, lesbian or transgender, they can negotiate what kind of person they are “being” and this is informed by a mixture of dress codes, body language, the way they speak, and so on. The turning on or off of various identities is relevant to my research because it demonstrates the performance aspect of sexuality and the varying degrees of self one can be in different spaces and in different contexts. This is a choice; it is constructed and can be turned on or off. Marcus prefers being “straight-acting” in public meanwhile with his partner or fellow gay friends, his freedom and added femininity shines through. I recognized that each individual in my research has numerous identities co-existing simultaneously.

Through my interactions with participants, I observed that constructed identities feed into the notion of belonging and community. What I observed is that the performance of sexuality and gendered identities is based largely on how safe one feels and if they belong or not to what is occurring around them. It is a constant negotiation which is never fixed. Their own national identities were clearly very strong and patriotic; however, on the contrary these identities were also disconnected from their culture and society based on their perceived difference. Being a refugee from Zimbabwe, DRC, Uganda or Rwanda did not automatically connect you with other refugee groups within Cape Town from the same region. Because of their sexual and gendered identities, being lesbian, gay or transgender automatically disassociated them from their own nationality because of dominant culture’s beliefs around homosexuality. This further isolated the participants within Cape Town and produced feelings of further loss due to minimal connectedness within society.

Gender and sexual differences are a public discursive site for what is right and wrong and acceptable and not. As I have asserted before, sexuality has become a highly politicized

subject within South Africa and as a result continues to wage a war on people's bodies and genders and threatens the very stability and security of this country and its citizens. Throughout the theme of gender non conformity, I have also observed a patchwork of constructions of masculinities and gender stereotypes used by participants which are mixed with race and class contexts as well. For example, not only is being black seen as the lower class, but the violence perpetrated against LGBTI individuals are predominantly done by black men. Each participant in this study made references to a perceived racialized sexual danger towards them. Black lesbians are more likely to be raped in the townships by black men explains Henry. She made comments about how groups of "black men" intimidated her immensely therefore she avoids walking by these groups at all costs. *"Me, I won't walk. I will drive. I don't feel safe."* Sasha maintained that because of rape in her past, she does not feel settled around black men; *"Forgive me for using colour, but if I see a lot of black men together, I just feel.... ugh (motions no no with her hands)."* She asserts that black men are aggressive and she's frightened of them. It is important to recognize these representations and stereotypes and what they mean in shaping notions of masculinity, racism, safety and gendered roles. Often sexual minorities are believed to be "un-African" despite historical evidence of homosexuality's existence before colonialism and Western influences. This blatant racism and homophobia feeds the stereotypes widely believed in Cape Town. Each participant has mentioned the serious implications for the construction of a supposed "gay-friendly Cape Town" as being very unsafe, racist and homophobic. Junior affirms that the majority of South Africans, like in most other African countries, think homosexuality is a western culture emulated by some African youth who are being recruited by white sugar daddies into homosexuality (Junior 2011). Junior then goes on to describe life in South Africa as a gay black foreigner to be a "horrendous nightmare". I recognize that sexuality has become a war zone for these individuals. The politics of gender run deep and the majority of the 'acts of war' on the LGBTI community are almost always perpetrated by men and the influence of drugs and alcohol were usually always involved. In the few cases where women were involved, it was a verbal attack or as a complacent side member to the greater group carrying out the attacks.

What follows is a further description of the different cultural, Institutional, and regulatory structures that inform and influence gender conformity and heteronormativity. I am particularly interested in the church's influence as this came out frequently among the

narratives, especially around the internalized guilt felt for being LGBTI. I observed this how internalized homophobia reinforces a sphere of vulnerability and a sense of depression, anxiety and deterioration of sense of self. The church is able to produce a culture of continuous fear for these individuals which resurface as part of their identity development. Increased feelings of self-loathing, guilt, shame and alienation and isolation are common experiences. I read a Human Rights Watch report called "Together Apart" which explained that family, religion, schools and the police are the four institutions which are critical elements of social protection on the continent ... LGBTI people are threatened in all four; "Those stigmatized for their sexual orientation or gender identity in Africa risk losing almost every source of safety, support, or belonging" (HRW 2009: 9). LGBTI refugees often come with additional trauma and challenges which needs to be recognized and supported in their integration into a new country and community.

Billy grew up Christian and is very attached to his spirituality. Every Sunday when the pastor would invite the congregation to come forward and pray for anyone they knew or for themselves, Billy would go to the front and pray to God be healed from these feelings of being gay but he said, *"I never get healed!"* (Interview Billy 2010). His pastor would preach about the plight of homosexuality sweeping across Africa and in their communities and the congregation was to join in prayer to stop this Western import, this un-African behaviour. This offers insights into the religious discourse and ways of "being" that are acceptable and not. Similarly in Congo, Junior explained *"My father and mother forced me into a 'healing process' run by our pastor. I was made to fast for days in order to expel the 'devil spirit' out of my body."* These institutions continue to influence and shape how individuals relate to their personal identities and for both Billy and Junior, this meant that every week they begged to be healed, to be normal. I contemplated how the church was able to influence feelings of guilt so powerfully. The nature of the institution is extremely hierarchical and patriarchal. Bishops and Pastors could only be men and they were regarded as much more powerful within the church setting. They had special connections to God and understood the bible and scriptures. Regular church going members were at the mercy of dogmatic messages, asserting their doctrines on how to be as a human being. If one conforms to this hierarchy, it then becomes challenging for anyone to be flexible, tolerant and understanding of difference. Furthermore, notions of masculinity are very much informed by positions in the church and biblical expectations of men and what it means to be a man. This then



asserts how any man who does not conform to the norm could then feel inferior, different and guilty for not meeting the expectations of who they are supposed to be. These feelings were then compounded by messages of evil, and how the devil is to blame for not conforming. Even when Marcus's family caught him kissing a boy in his bedroom, it was assumed the devil had possessed him. While the church as an institution claims to be inclusive and loving, it falls very short of this goal, perpetuating communities of hate for the "other". As previously mentioned, feelings of guilt and shame were frequently felt by the participants due to their Christian values. Upon arrival in Cape Town, Sasha needed to get into sleeping with men for money. She cried as she told the story, *"Just the thought to go on the road (tears run down her face,).. I um, was brought up with Christian values and Christian morals and prostitution is one of the things that can just not be done by a girl who was raised by strong spiritual parents... It makes me sad. It makes me so angry at myself"*.

Other institutions like government and police were frequently referenced within my interactions with the participants. For example, it struck me as paradoxical that the refugees in this study left their respective countries because of a failed state that could not support and protect them as individuals. Upon arrival in South Africa, there was such a high expectation of support from government here which clearly speaks volumes into the degree to which is written and the hope that the Constitution brings to foreign nationals yet what exists in reality is far different. Even with recent xenophobic attacks and heinous hate crimes in the country, South Africa is still unable to be fully supportive of foreigners, let alone sexual minorities. In theory the government provides order and support and can grant refugee papers and permits while at the same time protecting individual's rights and upholding the highest order of justice. Unfortunately this has not been the case for the participants in this study.

In recent decades; however, discourse on homosexuality and sexual diversities have challenged mainstream heteronormative ideologies. Through raising public consciousness around the diversities and pluralities of sexual orientations and gender identities, a wave of rights discourse and tolerance has been occurring although not left without conservative backlash across the country. In our world of printed facts and impersonal mass media, we consciously or unconsciously absorb knowledge of the world and how it works through exchanges of stories and our relationships with others. From the narratives, I recognize that when the very systems which are meant to protect you fail to do so, freedom is

compromised. When fear of the daily threat of gender based violence or sexual assault permeates one's state of mind, freedom is scarce.

### Negotiation of Spaces and constructions of the city

*"They say you are free to do this and this, but you know... There is no freedom here" ~ Henry 2010*

As a qualitative researcher, I chose to enter the lives of others and entered into a space filled with vulnerability, complexity and risks. Throughout this section of my analysis, I explore the theme of 'space' and how spaces are made, re-made and reconstituted based on the social worlds individuals find themselves in. The definition of space I deploy is fluid, but it allows for an in-depth, accurate working process and a nuanced, subtle examination of the social worlds I interacted with during my fieldwork. I understand space as a set of interactions and these relationships weave together to create a space (Massey 2005). The act of constructing this analysis is a space-making practice. I attempt to map the narratives based on my interactions, observations and relationships into a picture of the lived realities of sexual refugees. Whilst mapping their experiences, I attempt to create a space for their voices to be heard and understood within the complexities of this highly political and sexualized landscape within Cape Town. This work overlooks a series of individuals and their abilities to claim South African spaces and negotiate their safety in a violently, homophobic social setting.

I unpack two sub themes that come from my interactions around 'space'. Firstly, I explore the city of Cape Town as a 'space' and the realities that come with that for sexual refugees, especially in the context of Post-Apartheid South Africa with racism, xenophobia and homophobia still very present. Secondly, I look at *how* safe spaces are negotiated and created against interlocking systems of marginalization and the processes that occur during this negotiation.

### Cape Town as a Space

Cape Town is still a city in the making (Field et al. 2007: V). Apartheid ended only eighteen years ago and therefore Cape Town as a space is still struggling to re-define itself. The racial and class divides remain clearly evident in today's society and the wounds of the past have not yet been healed. Each participant in this study had higher expectations of

what life would offer them in Cape Town as a sexual minority and all share a gross disappointment by the reality on the ground.

To understand this spatial context, I needed to understand the complicated history of South Africa, the daunting past of Apartheid and centuries of colonialism and racism which still have its grip on societal norms and beliefs in the country. The urban landscape in Cape Town is unique in many ways, as it was deliberately controlled and shaped by Apartheid legislation. The Apartheid management of 'spaces' is visible to anyone visiting the city. In the City Bowl, evidence of the pass laws, forced removals in District six and all forms of prohibition signs based on skin colour or race are clearly visible. As I walk around Cape Town observing its history and its own unspoken narrative, I see "spaces" were very racialized, where certain spaces were more desirable than others; some were "white", while others "coloured" or "black". My understanding of Cape Town as a space is still informed by the tangible examples of the segregation and social barriers erected during decades of Apartheid government. This lingering past affects the lived realities on the ground even today in terms of social and economic security.

In post Apartheid times, the growing number of foreign nationals in the city adds another element and complexity to the spaces, as each migrant adds their own flavour and culture to Cape Town as a "space". Our epistemological understanding of space must continuously be questioned and explored since the constant changing of the city is worth considering. It is also clearly evident that there is a growing disparity between rich and poor. High rates of homophobia, xenophobia and racism within 'the city' is evident that South Africa has been unable to address the imbalances and social injustices of its past which only exacerbates the realities for refugees coming into this highly political and sensitive space.

*"I thought Cape Town was European, that everyone was educated; there were lots of opportunities than anywhere else in Africa. I was not expecting a lot of black people actually, and the poorest of the poor..... I find myself in the lowest class now and I have never been under anyone before, especially under a white. In Rwanda and in a Tutsi and rich family, I never had to beg. I never grew up in a rural area. I have never been a poor man. I lived in cities and private schools. Just because I'm black, they think I come from nothing. I won't beg. I would rather stay without food and without money. It's a pride thing. For me, the only option gay people have is selling yourself, sugar daddies or begging." (Interview Billy: 2010).*

Elements of racial and class discrimination in Billy's statement speaks into the spaces within Cape Town and its lingering legacy of Apartheid. There is a hierarchy of race, class, and sexuality that exists both within the wider culture and the LGBTI community. My observation is that it functions in similar ways as the caste system in India, which is used both as a system of shame and a classist hierarchy to which individuals can belong. *"I feel bad about how people interpret and treat me here... Colour issues are a very big problem here in South Africa with a VERY big difference between whites, colored and black gay communities here..."* Having wealth is a luxury which allows one to choose their space and negotiate their safety. Being poor and living in a township offers much less security and privacy which is the reality most sexual refugees find themselves in.

As Henry mentioned early, black lesbian women in particular live in constant threat of violence. Henry spoke from a particular viewpoint that lesbian women are careless and should not be socializing with men in these spaces in Cape Town, *"If you be a lesbian, be a lesbian but don't go out with these guys... these guys they drink much, what do you expect? At the end he's going to say, 'I want you' and they will rape.....Yea, be a lesbian but not on the public."* From Henry's anecdote, I observe her justifying men's actions that rape is normal when men drink and there is a sense of entitlement men have to women.

*"Yes when I came here with the South African people, I see, Yoh! It's not good at all. They way we treat people in my country is not the same way they treat here you know. These people are not nice. They don't like us. In my country they don't do.. they don't rape. You can say I'm a lesbian but they won't rape."*

Stereotypes of the aggressive, violent, drunk black man and his justified abuse have been frequently referenced in describing Cape Town as a space. Race also plays an important role in the prevalent xenophobia existing within Cape Town. The new South Africa is often referred to as the "rainbow nation"; however, homophobia and xenophobia continue to demonstrate that there is a clear line on who is included in the rainbow nation and who is excluded. As mentioned in the previous chapter, the 2008 xenophobic attacks were mostly occurring in the poor black communities and Amisi (2010) referred to it as "black-poor-phobia" The argument is that foreign African nationals are stealing South Africa's jobs, resources and women. Apartheid, as Kopano Ratele explains, "Came to shape South Africans' psychological lives and social relations. More pointedly, these legislative and

literary undertakings shaped what individuals would come to lust after and love, hate and flee from, what they did for sexual intercourse, with whom, under what conditions” (Ratele 2009: 294). What people fear or desire is still shaped by these colonial and apartheid ideologies and thus can be argued that Cape Town as a “space” continues to be informed by historical constructs of heteronormative, and racially segregated norms which appears to be one of the unforeseen challenges that the refugees in this research are experiencing in the space of Cape Town.

As I interacted more with the participants in this study, it became clear that sexual refugees in general face additional struggles over and above the expected challenges of refugees adjusting to a new country. Many times, sexual refugees are forced into desperate situations economically and socially;

*“You find a lot of trans girls are forced on the streets being prostitutes.... (hand covers eyes, lip quivers)....I have been there and done that. Not proud but I’ve been there (tears stream down her cheeks). You make yourself so vulnerable to the men that come to you and some men would even say, if you want my money then you will not use protection. They will be rough, treat you like a whore, like a dirty prostitute. I mean, that is what you are, but they treat you like... yea... very very rough. They are so rude. But I’m sure being a prostitute is not meant to be enjoyed so ... (sighs).” (Interview Sasha).*

Poverty is a daily threat to sexual refugees as lack of steady income and access to support services within Cape Town is limited.

*“I thought I could actually live in peace. I didn’t think it was going to be hard for me to get on my feet, not that I was expecting milk and honey but I find myself again, jobless, I don’t have a work permit, no experience, no diploma, no support.....There are times when you go to bed without eating, or sometimes just having popcorn for dinner”*

I have observed that the realities on the ground in Cape Town is that most poor LGBTI individuals reduce themselves to selling their bodies for money or acquiring a sugar daddy to pay for their living expenses. This survival tactic is often the only way many can find a way to live. Billy expressed his trepidation to get into that reality, *“I don’t want to be manipulated, to be exploited...these guys go to gay clubs, sell themselves.. this is their life... it is our cultural differences, otherwise, that could have been my life too.”* (Interview Billy 2010). It was evident in our conversations that Billy’s sense of self meant he had to retain the academic, the credible, honest, religious, moral impression he portrayed. Therefore, he

would not succumb to selling his body or engaging with sugar daddies to take care of him. His sense of morality and values played very heavily on his performances and behaviour. Vanessa Baird wrote that “It can be much harder to be lesbian or gay or transgender if you are poor. Privacy is a luxury and living out a non conforming sexuality is rarely an option if you have to share your sleeping quarters with several family members” (Baird 2001: 17). In this sense, Billy also had a safe living arrangement at a university dorm, which allowed him a certain level of privacy, safety and security that perhaps some of the other gay men he was critiquing did not. This has been the reality of many marginalized and poor LGBTI individuals and one that many sexual refugees face. Homelessness and poverty are constant realities experienced in Cape Town and the support networks assumed to be supportive of refugees usually are not welcoming to sexual minorities. Junior testified,

*“Life is tough here and there is a lot of homophobia in the Congolese community. When I first arrived, I lived with my cousin. When he found out I was gay, he kicked me out on the street. I then moved around a lot living with different Congolese people, but their story is always the same; once they detect that I am gay, they kick me out.... I’ve also lived in some shelters but there I experienced xenophobia. It’s really tiring to be reminded everyday that you are ‘not a South African’. (Field Notes Junior 2011)*

As illustrated with these anecdotes, on the economic front, refugee status has added further burdens in attaining the freedoms needed to survive in Cape Town such as managing proper legal employment, opening a bank account, sending and receiving money through money-gram or western union services, and the ability to register a business and become an entrepreneur as a means of survival. For example, Billy was unable to collect money at Western Union sent from a pastor abroad because of his refugee papers. It took Sasha thirteen months to get a temporary residents permit and every day she went to home affairs without bribery money and every day she would go home empty handed. The debilitating sanctions put on their alleged “freedom” under the state as an asylum seeker is one of the major hurdles all participants are facing. The struggle for self advancement, survival and power over their own life remains a priority and can be the sole difference in their happiness and safety here in Cape Town. As I explored these narratives, it became apparent that they all spoke about the interlocking systems of marginalization socially, politically, economically which continue to place road blocks for them as sexual refugees in Cape Town. All they wanted was the ability to make a life for themselves where they could

be free, yet all institutions within South African society, the law, the police, education, the church, the family, capitalist structures and so on, enforce heteronormative and discriminatory sanctions towards sexual minorities. As it was mentioned above, these very institutions which are supposed to be the foundation for LGBTI refugees' safety are the same institutions which place them at higher risk and danger within Cape Town. Though these experiences cannot speak for every refugee, it should not be discounted either. These narratives depict a very real experience of perpetual exclusion, stigma and discrimination. I have attempted to demonstrate just how transient and malleable race, class and gendered segregation really are depending on the social spaces one finds themselves in.

### **Negotiating Safe Spaces**

Within my analysis, I have explored the notion of space as ever-changing and highly contested. I now attempt to unpack the process of 'how' these spaces are created and negotiated within the heteronormative, racially segregated and homophobic society. I connect this to performance.

The process of negotiating a safe space comes down to the dichotomy of private versus public. For example, Henry claimed that the ultimate way to survive is to keep quiet. Men in her community frequently torment her because of her masculine, tomboy look therefore Henry's strategy was to avoid all conversations that revolve around sexuality. I learn that the location of the performance plays a significant role in the negotiation of one's identity and sexuality. For example, as aforementioned, Billy's university residence offers him a space that is isolated and usually more accepting. Although he does mention occasional discrimination for his campness, most students are accepting and open to his orientation. For Sasha, Junior or Henry, living in townships where security is never a given and negotiated daily is much more challenging. *"Always I'm scared,"* explains Henry, *"I'm scared. I am not open. On that side... no, I can't be on the public."* Henry listed Makaza, Nyanga and Khayelitsha as the worst places to stay for lesbians. Marcus chooses to live in Mowbray which is a suburb with a relatively high level of security, university settings, and more expensive as opposed to the townships which are cheaper but with less personal security. In the townships, Marcus explained how one runs a daily risk of personal attacks,

robberies, gang violence, or even murder. He explained how you may come home and find your house has been stripped bare. This was the case for Henry. In May 2012 Henry came home to find her house in Mandalay ransacked. Everything was taken from her clothes to cutlery to furniture.

Unfortunately the notion of silence does not render visibility and acceptance of LGBTI individuals but only further allows hegemonic heterosexist power to inform societal norms and beliefs and marginalize and silence those who do not fit. Creation of a safe space to Henry appears to be mostly around avoiding the risk of rape and violence. By not telling people she is lesbian is one way to avoid unwanted attention. From my understanding, Henry's perceived corrective rape and gender based violence against lesbian women as something that was that often times brought upon the women by themselves. She believed that it was inevitable for men to act this way and by being a lesbian, women should know better. She explained that if you want to survive, you have to create a safe space for yourself and hanging around with men, drinking in the public, for example, is not the way to do that. During my field visit to Henry's home and community, I met with other lesbian women in the area who all spoke greatly about the harassment and violence they receive from men on the street. This was a steady theme of the discussions. They explained that men somehow have the idea that they have to prove that lesbians are not "men" but in fact "women" who like dick (Field Notes Henry 2010). Strong lesbian networks exist in the townships and I visited a few places where homes of lesbian activists are transformed into certain safe spaces away from drunken men and the rest of the homophobic community. Speaking with women from Free Gender in Khayelitsha I learned that many young lesbian women will be persecuted for their butchness and will be forced to seek help from these networks. The paradox here is as they become well known as places where lesbian women congregate, increased levels of violence, theft and danger is placed on these locations. When I met with a service provider from International Gay and Lesbian Human Rights Commission in Cape Town, he mentioned, "The men don't want the butch lesbians to enter their environment. They fight always the butch lesbians because they think the lesbians want to be men and they are trying to protect their territory" (IGLHRC interview 2010).

Henry listed numerous people, lesbian friends of hers, who had all been sexually assaulted, some had been gang raped on multiple occasions by men showing them they are "not men". One of her friends was jumped, raped and stabbed eight times and in frenzy,



Henry had to rush her to the hospital as she bled out in the backseat of her car. Her friend lived. Henry mentioned that she had never been raped and did not face the same reality as the other lesbians, because she keeps quiet and doesn't go out in public. The question then remains, how do we face a climate of homophobia, the climate of misogyny and gender based violence if negotiating safe spaces means an individual must keep their sexual orientation private and preferably be straight-acting in public?

Negotiating space is informed by the context of the surroundings. Community networks also inform the physical space. Community is a contested term but for the purposes of this analysis, it is understood as shared interests or a common goal. The assumption by the participants was that, because refugees are usually excluded from 'being' South African, there is therefore a shared unitedness with other fellow refugees from their countries. For example, Sasha sought out the Zimbabwean community immediately upon her arrival in Cape Town. Billy looked for Rwandese people while Junior searched out the Congolese communities. Whatever the nationality, these national "groups" occupy spaces which render the possibility of belonging to the refugees in this study. In Sasha's case, *"I asked people on the train about where to find the Zimbabwean community in Cape Town. I didn't know a single person. I had no money, I had no shoes, I had no blankets and it was winter (eish!).... I just went house to house asking and telling them I could do anything, cleaning, cooking, just in exchange for a place to put my head."* (Sasha 2010). There is an assumed space of safety with the familiar, feelings of home in a foreign city. My findings from the interviews however is that these are not united groups. National labels hold little relevance if one is LGBTI. This adds further exclusion within South Africa and the risk of living on the street or living in poverty is much higher. When speaking to the participants in this study, there was a perceived notion that Cape Town as a space was much more accepting of foreign nationals as well as foreign LGBTI individuals based on the legal structures in place and throughout the Constitution. However, in reality, safe spaces for LGBTI are still few and far between. Most spaces truly safe are inside the walls of LGBTI organizations. Each individual referenced the Triangle Project as one of the few places to get assistance, counselling, and other resources. Billy contacted Triangle when he arrived,

*"The first person to reply and contact me was Sharon from Triangle. Yea.. then we sat down and I told them everything. I told them how I wanted to kill myself and told them about my sexuality and how I feel desperate because I feel as though I want to be in a place where I can love and be me and yea,*

*they supported me very much. I remember she used to send me messages saying you are a child of God, because I used to tell them how I used to feel this was a sin for me. I grew up as a Christian so I kept asking, what about my soul? How am I going to end up in this life being gay? But she told me about the gay friendly church in Cape Town and gave me CDs and DVDs and she would send me all these strengthening messages and um.. I used to like them so much.” (Interview Billy: 2010).*

Triangle Project offers a small library and resource centre for LGBTI people out of their office in Observatory. There are community outreach services and support groups that run frequent group meetings. A counselling centre allows for individuals to seek psycho-social support. Marcus also started attending Triangle support groups, *“I started making friends and you know feeling comfortable with myself and that I am not the only one who feels the way I feel and there are many people who also like me. It was like... I was feeling relieved that after all, I can have a family here in Cape Town. I knew they also care about me, so I was so happy”* (Interview Marcus). Triangle offers basic food parcels to LGBTI individuals who really need it. Sasha, Marcus, Billy and Junior all accessed these parcels at different times. Billy mentions how it is easy to become dependent on them but they do not have money to sustain it so at some point one needs to find other ways to get support. Participants did express that it was not enough but at least it was something to sustain them. In addition, Triangle is not always accessible to those who live far away from the City and it was clear that after the first few times of getting support from Triangle, it is hard to continue because there are not enough services to match the needs. Marcus explains, *“I think what is lacking mostly is uh, like support, especially for those people who are gay and being abused. People do not feel comfortable to go to Triangle to tell them what is happening to them because they know there is no real action for them... yea, so I think there needs to be a strong support for these people. There are a lot of people being abused for being gay and no solid action is being done.”* (Interview Marcus 2011).

Gender DynamiX, which is the only transgender organization in Cape Town, also has support networks which Sasha was able to tap into, *“I’m privileged to know that there is an organization that has open doors to people like me, so yes I’m privileged in that way. But you still need a decent job that can pay for you to go to school, work, pay rent and buy food... and as a trans woman, I know the attacks are there, so it’s hard, every aspect of my life, this transgender thing ... it’s like a Bug”* (Interview Sasha: 2010). I interacted with a few of the

support groups with Gender DynamiX and their exchange programme that brings transgender individuals from all over Africa together. These interactions also further solidified my understanding of the levels of homophobia and transphobia across the continent.

Junior volunteers for PASSOP – People Against the Suffering and Oppression of People in Wynberg. In mid 2011, PASSOP launched an LGBTI refugee unit, which now supports and advocates for the rights of sexual refugees. Their office also offers services, libraries and internet for the refugees, and most of the staff are refugees themselves. These organizations are physical locations that are “safe” and “gay friendly”. They are rare in the greater landscape of Cape Town. Inside the City district, the Cape Quarter gay bars offer a physical location to be sexually open and free. *“There are lots of places that you cannot go and tell people you are gay. Not at all. You are putting yourself at risk. But At least it is much better than Zim. Its got places like gay clubs. In Zim you can’t find a gay club”* (Marcus 2010). Cape Quarter’s lack of accessibility is flagged as the clubs cater for mostly white gay men and middle class people.

My exploration with negotiation of safe space uncovered that the kind of gendered performance one exhibits in multiple social settings varies but it also gives you varying levels of negotiating power for safe spaces. Henry’s belief, for example, is that safe spaces are only available on the private and she cannot be free and open as a lesbian in the public or she will experience a backlash, a risk she is not willing to take. After all, one in four men in South Africa have admitted to raping a woman; one quarter of all women raped are raped before the age of sixteen (dark side of paradise). Having limited support networks increases the vulnerability and difficulty in negotiating safe spaces and while inside a gay friendly bar, church or office building offers temporary safety, this is not the majority of spaces that LGBTI refugees occupy. I observe that tactical networks are strategically used to gain benefits, friendships, support. These interrelationships, communities, identities, and spaces are constantly shifting in the moment, through a series of negotiations and decisions, made up as one thinks, speaks, acts and performs. This dynamic insight forces us to reconsider the changing and fragmented nature of people, especially breaking the belief that communities can be dealt with as a whole, assuming there is a shared purpose or common bond. Sexual refugees are not a homogenous group, nor are any groups we locate within communities and Cape Town as a whole. National identities are not useful as previously considered. This

realization necessitates a shift in qualitative research, which is nuanced and time-consuming in order to understand the space and the relationship it has to other spaces as well as the identities within that space. They cannot be simply understood from the objective outside using observation.

## Theoretical Significance of Data

The previous section outlined a thematic analysis and representation of my data as I understood and observed it to be. I presented the narratives of five LGBTI sexual refugees and qualified their lived realities as ever changing, constantly being negotiated, performed and re-defined. In this section of my analysis, I connect the theoretical significance to my data, however exploratory as it may be. This thesis makes numerous observations and points. First, I explore space making and what my data reveals about the construction of space and safe spaces for sexual refugees and the power dynamics that are involved in doing so. Second, I look at theoretical significance of the complex relationship between personal identity, national identities, belonging and citizenship and gender (non) conformity. In addition, I establish and describe the theoretical significance of sexuality performance and identity for sexual refugees within South Africa. I link how these spaces and performances often in turn validate and reinforce particular social norms. I situate my findings above within a radical queer theoretical framework. I offer queer theory insights around inter-sectionality of identity construction with the social hierarchies of power around race, class, gender, and ethnicity and so on. Buss explains best when he points out that “queer theory is not just a theory of queers. It is a way of analyzing how gender, sexuality, and heterosexuality as organizing principles construct hierarchies of normal sexuality and intimacy. Setting itself a rather vague and ambitious task, queer theory aims to queer the normal- indeed, to challenge the very idea of normal.” (Buss, 123) I end the chapter by evaluating how these spaces influence the participants’ sense of self, hope and agency as refugees and how internalized homophobia and transphobia impacts on their personal wellbeing.

There is an impressive amount of credible, serious academic scholarship conducted in Africa about refugees. There is however, less focus on LGBTI refugees and those that do focus on sexual refugeehood, there are fewer research articles that look at LGBTI refugees and their impact on spaces they occupy and how they are living and managing in their new cities and environments. Although there is an increasing amount of stories online depicted by advocacy groups to break the silence around sexual refugees in Africa, I observe that as researchers much more needs to be done to illustrate how LGBTI refugees are shifting the political and social landscapes in countries and communities they find themselves in. Within

the existing LGBTI research produced from LGBTI organizations, I recognize a significant part of the research has a focus on human rights and the vulnerability of these refugees. This is especially true with the height of homophobic violence and hate crimes occurring towards sexual minorities across the African continent and beyond. While this research on a human rights level is imperative and necessary, there is a need to produce more research on how sexual refugees change the spaces of South Africa and what their lived realities are like in cities like Cape Town.

I employ a more direct engagement with theorists such as Judith Butler, Michel Foucault, Doreen Massey, Mikki van Zyl, and Valocchi. I make sense of the social world by grounding it in the 'spatial world', whilst exploring our epistemological understanding of the context of that world. It is important to theorize these spaces, drawing on the notion of belonging, personal safety, gendered (non) conformity and identity which links to beliefs of being 'normal' or 'abnormal'. Using a queer analysis, I assert hegemonic heterosexist norms are in fact a fictional illusion that has been created, sustained, and reinforced by its repetitive practices in relation to these stereotypes. Audre Lorde asks a question "what is normal in this deranged society by which we are all trapped?" (Lorde 2003:255) What happens with constructions of "difference" is that a hierarchy is fabricated and places sexual refugees on the margins from society, outcasts from the majority. I argue that this form of marginalization perpetuates secondary and third level marginalization by society.

In this thesis, I have offered insights of sexual refugeehood using narratives, personal journeys and experiences within Cape Town. It is clear that there numerous perceptions and experiences of the city and through the representations given by the participants, I mapped these conceptions. I attempted to tease out and make implicit and explicit meanings created by these individuals as LGBTI refugees. As the number of sexual refugees increases within South Africa and a greater LGBTI, presence is made visible of the gay communities, so too do these shifts proportionately change the space of Cape Town and South Africa. These experiences and others bring new connections, new insights, new ways of being and new possibilities for sexual minorities.

### **On the theory of "space" and the act of space-making**

Valocchi (2005) has underscored that "The queering of gender and sexuality requires sensitivity to the complicated and multilayered lived experiences and subjectivities of

individuals, to the social settings within which these experiences and subjectivities take shape, and to the larger cultural, discursive and institutional contexts of these lives where resources are allocated, images created, and taxonomies are given power". I seek to understand the theoretical importance around space for this thesis because to understand the multilayered lived experiences and subjectivities, I needed to enrich my research process by immersing myself in the participants' spaces. Spaces, as I assert, constructs identities and is constructed by identities, which are inevitably shaped by larger contexts. Space, belonging, safety, identities, social networks etc. are all informed by these interactions of power dynamics, the messages we receive and inherit from society. This has theoretical significance and has changed the way I view my data because these narratives and stories are perceptions, memories and recollections, which have all been influenced by greater contexts and spaces, and therefore their present lived realities are a direct product of these forces and interactions at play.

Understanding the theory behind how spaces are shaped, I wanted to understand why they were as they were. This required looking at Foucault's theory around sexual repression and prohibitions. Judith Butler often uses Foucaultian theory to illustrate how regimes of power in society, political and juridical, predetermine gendered rules of regulation for us. I infer that Foucault's theory can easily explain how sexualities have been controlled, policed, and made religious for centuries. For example, since the 18<sup>th</sup> century, creating a powerful fear of God was widespread, prohibitions, laws and regulations around sex were all politically organized as a means to exercise power and control. Discourse around sex, sexuality and pleasure were not allowed. As a result, sex has been treated as a private, practical affair that only properly takes place between a husband and a wife. Sex outside these confines is not simply prohibited, but repressed. That is, there is not simply an effort to prevent extra-marital sex, but also an effort to make it unspeakable and unthinkable. Discourse on sexuality was confined to marriage. Historically speaking, these prohibitions and forces of power created a dominant European, colonial and repressive foreign concept of public behaviour and certainly across the African continent, religious ethos substituted "traditional" African cultures and therefore traditional sexualities began to disappear. This is a useful point from which to explore my research because each participant made reference numerous times of the common belief held that homosexuality was "un-African". Despite research proving that homosexuality existed long before

colonialism, it is still now widely believed and used as propaganda against sexual minorities. Mikki Van Zyl stated, "It is homophobia which is un-African; a western import of colonial repression (Van Zyl, M. 2004: 236). This historical repression is so often ignored. As Foucault's theories explain that any discourse on sexuality is seen as a revolt, a revolutionary matter that was defiant towards institutions in power, especially within the medical, psychiatry and criminal justice systems. These laws are still present today across the globe, where certain kinds of sex are prohibited; tighter regulations and surveillance around people's behaviour are on the rise. The general awareness that sexuality was something not to be talked about and if it is to be discussed it is done so in a very heteronormative way and very often with Christian morality attached to it. The very notion of secrecy of sex is itself part of the discourse on sex and therefore reinforces its taboo nature.

Douglas Janoff applies the theory of abjection as to why the level of intense violence exists in homophobic attacks. He describes abjection as "the feeling of loathing and disgust the subject has in encountering certain matter, images, and fantasies – the horrible, to which it can only respond with aversion, with nausea and distraction... The object is meaningless, repulsive in an irrational, un-representable way" (Janoff 2005:68).

Homophobia, as he explained, is a 'border anxiety' which is exacerbated by the fact that,

"Homosexuality has become increasingly de-objectified, no specific characteristics, no physical, genetic, mental or moral character to mark off heterosexuals from homosexuals. Because of the increasing difficulty to assert any difference between heterosexuals and homosexuals, homophobia is one of the deepest fears of difference precisely because the border between gay and straight is constructed as the most permeable; anyone at all can become gay, especially me, so the only way to defend my identity is to turn away with irrational disgust" (Janoff 2005:69).

Using a critical third world feminist lens, it is clear that attention to colonialism and a historical overview of sexual identities in South Africa makes visible the intersectionality of race, class and gender and the hegemonic hierarchy attached to them. The history of South Africa (as explained Gupta 2008, Pape 1990, Murray and Roscoe 1998, Kopano 2006, 2008, 2009) has been a colonial construction and homophobia has in fact been imported to African soil, not homosexuality. These constructions of norms have perpetuated the hierarchy of citizens in this country even today. Sasha, Billy, Junior, Marcus and Henry have all felt the effects of the hatred caused by these hierarchies of norms within society. The



psychological effect of that as Abrahams explains, is that hatred we meet from the outside world causes us to hate ourselves and we act out of hatred and cruelty towards others (Abrahams 2010: 2).

My data shows that people's experiences are influenced by the norms imposed upon them, which stems from the historical manifestation of such norms. These narratives, as Massey explains, are often expressed as flattening space down to a map or to one single narrative or experience that occurred at a particular place over a period of time. This view is obviously very limiting and limited. Historically, narratives are usually told from one perspective using one's voice and focused on one space or a set of spaces. Massey asserts that space is not a surface, as we so often think it to be, but a set of inter-relations and interactions (Massey 2005). She further contends that space is the sphere of the possibility of the existence of multiplicity; that is space 'as the sphere in which distinct trajectories coexist; as the sphere therefore of coexisting heterogeneity (Massey 2005:9). Space is never finished and it is never closed. It is constantly in the process of being made. This is an important consideration to African feminist research around the realities presented within this study since the spaces we study are evolving and shifting with every interaction.

In the evolution Modern African History, Stephan Miescher and Lisa Lindsay write about men and masculinities and how the dramatic social history across the continent has shaped the layer of history and epistemology around how men and women see themselves and how gender relations are organized and promoted are shaped by larger socio-economic, cultural and religious transformations. For example, the abolition of African forms of slavery, the replacement of older structures of political authority, the expansion of wage labor and cash cropping, the introduction of mission-oriented Christianity and western education, the spread of Islam as well as migration and urbanization are all very African specific histories that have shaped gendered identities. To deconstruct the lived realities of the participants in this study, a queer gendered lens is required in order to break down the patchwork of heteronormativity and patriarchies that were imposed from colonialism and other cultural and social institutions as described above. This is important for my research since the evolution of masculinities in Africa has a direct link on gender as a performance as well as sexual repression. My observations from listening to the participants show there exists a crisis in masculinity within South Africa and the expectation of what it means to be a

man and what is accepted and tolerated is very distorted. This links to the history of sexuality discourse since this discourse created norms of “natural” and “unnatural” which I assert has played a big role in the rise of homophobia across the continent. It is this historical segregation and Apartheid that is still shaping a vast amount of discriminatory beliefs within Cape Town and affects the lives of LGBTI refugees as a result. For example the 2003 South African Social Attitudes survey showed an overwhelming 84% of respondents who stated that sexual relations between two adults of the same sex was “always wrong” or “almost always wrong”. Eighty percent of the people disapproved of same-sex marriage and wanted the Marriage Act amended and furthermore, homosexuals ranked at the most extreme of an eleven point antipathy scale with the same rating as Afrikaners, the architects of the apartheid (Thoreson 2008: 5). This clearly demonstrates that much work is still left to be done in the country to improve tolerance and acceptance but also alludes to the challenges LGBTI refugees currently are living with. I reiterate Henry’s poignant statement, “there is no freedom here!” (Interview Henry 2010).

I claimed in chapter two that the more visible LGBTI individuals become within society, the more malicious the propaganda becomes from certain churches and religious institutions. Human Rights Watch wrote, “one fact is crucial: the ever-looming possibility of backlash. Almost every time LGBT activists in a country have first gained public visibility, a crackdown followed (Human Rights Watch 2009:12). As Dennis Altman pointed out in his book *Global sex*, the rapid pace of change has produced a panic reaction which has taken the form of going back to (highly selective, often inventive) “indigenous” and “traditional” values (Altman 2001:6). Human Rights Watch published a statement saying,

“One feature of fundamentalist discourses is the way their different terms collapse into one another. “Culture” loses its variety and becomes indistinguishable from “morality,” and “morality” from “religion,” which in turn is defined by and often defines “tradition.” Collectively they can colonize “nationhood” until it becomes not a political entity but a rhetorical weapon. All these words will run through the examples of the backlash. In all cases, however, fundamentalisms strip these terms of ambiguity or negotiability. They become, in the fundamentalist vision, not ideas to be debated or environments in which to live, but mandates enforced by law” (Anatomy of a backlash)

Internalized hatred of Apartheid was fuelled by race, class, and gender disparities and when Apartheid ended and transitioned into a “new” democratic space, the wounds of

the past were still very evident within those in the country and anger and hatred remained. Instead of realizing external hegemonic patriarchal power has shaped homophobic backlash, one ends up internalizing it, blaming themselves for their victimization as was seen with Sasha, Junior and Henry.

South Africa may have a progressive constitution but the population is largely conservative and hold dearly their heteronormative principles. Field maintains that because of notions that Cape Town is not an “African” City, or that it is a “racist” city, these frames around xenophobia and racism remain widespread and must be fought (Field et al 2007 : 6). As a result, many sexual refugees are unaware that they are entering into a war zone filled with angry citizens from its oppressive history. All of the refugees in this research have attested that Cape Town and South Africa at large, has not been able to implement its laws of non discrimination towards sexual minorities and very little has changed in terms of their safety and security as a vulnerable group.

Much the same as that we see space as important within a context of Post-Apartheid South Africa, we also need to seek out different frameworks in which to view the city, especially from sexual minorities’ perception. The difference is that LGBTI individuals within South Africa have been dominantly controlled and discriminated against for decades. However, it is also worth considering and analysing the space that LGBTI refugees add to the space of Cape Town, not only as migrants with their own historical context but also as a sexual minority with different gendered identities and expectations. This requires tapping into the lived realities and stories of foreign nationals and refugees to understand their epistemological and ontological ways of being, socially and culturally. Each sexual refugee takes with them a set way of being and knowing which then influences the spaces they enter within Cape Town. As I present this data and theoretical significance, I also recognize that I engage with an already pre-existing problematic, nuanced, and informed use of space and this is one that I can never fully come to understand as spaces are constantly changing and reshaping. Bender and Winer infer “the way in which people – all people – understand and engage with the material world around them, and if we recognize that people’s wellbeing is always historically and spatially contingent, it becomes clear that landscapes are always in process, potentially conflicted, untidy and uneasy” (Bender & Winer 2001: 3).

When narratives are looked on within the framework of socio-cultural theory, we have to remember the interlinking between the individual and her or his context. As

individuals are telling their stories, they are not isolated and independent of their context (Moen 2006:4). As Howard & Shain put it, “We look at places where things happen that are influenced by the broader space around and, in turn, help to shape that space” (2005 :6). Space, like energy, cannot be made or unmade, it can however be changed and reconstituted (Comaroff & Comaroff, 2006). I am interested in the practices through which foreign Africans sexual refugees shape local spaces in ways that make them feel more comfortable and ways that assert claim over these spaces, and what this means for the other users of those areas.

Agaze explained that in a country like South Africa there are no well-established refugee camps and therefore refugees and asylum seekers must find a place to live, begin to learn local languages, learn their way around an unfamiliar society and interact and become part of the society’s social networking as a way to have successful integration and adjustment in the country (Agaze 2003: 2). Sexual refugees coming to Cape Town have no choice but to integrate into the city upon arrival and seek out safe spaces to settle into. Cape Town, like any city, brings together various cultures and people with different backgrounds and beliefs. The notion of “the city” as a space is a highly complex one as was highlighted by all participants. The meanings of Cape Town portrayed throughout all narratives illustrated a place of constant bargaining for recognition around their identity and difference. In their Book, *Imagining the City*, Field et. al. presents the reality of Cape Town as a “city,”

“Cape Town is still a city in the making. The question is whose tastes, smells, feelings, sights, and sounds will come to prevail in defining the character and experience of the city? Is our city merely a playground for the rich, the poor experiencing what the city has to offer – even Table Mountain – merely as a backdrop to their daily struggles for survival? Is our city primarily geared towards tourists so that “the people” deemed to add little real value to the city, may be one day, trickle-down beneficiaries?” (Field et al. 2007: V)

While the dichotomy of what was perceived of Cape Town before leaving their country versus their reality upon arrival was now apparent to the refugees in this study, the challenge they each grapple with now is finding a sense of belonging and identity within this uncertain space. Cape Town has proven to be a hostile environment for them as sexual refugees and not the safe inclusive city they heard it was. The contrasting of these narratives show that at times one can have a sense of belonging, while at the same time

feeling displaced and marginalized. Their quest for belonging is further complicated by the fact that many South Africans themselves are still attempting to find a sense of their own place and identity within Cape Town, which therefore has a ripple effect of insecurity onto the waves of immigrants and refugees coming into the country (Field et. al. 2007: 4). They reiterate,

“The more provocative question then is, what kind of African city is it now and can it become in the future? In our view, Cape Town should neither mimic European cities nor ‘the image of other African cities’ and should not be evaluated in these absolutist terms. Cape Town needs to imagine and re-imagine its own culturally diverse way. The process of transforming the city could be happening more quickly than it is, but more than 300 years of colonialism, slavery, segregation, and apartheid social engineering will not be undone through a few years of democracy” (Field et al. 2007: Vii).

Since our world does not live in balance, we as researchers must continue to make visible the unequal power structures so that we can transform conditions of injustice, misogyny, homophobia, racism, and poverty.

### **On the theory of Identity, Gender non Conformity and sexual performance**

I was keenly aware of the intersectionality and hybrid of cultures, identities and social spaces that occurred as each individual was thrust into an unknown space and landscape of Cape Town. Cape Town as described above is still a city in the making and therefore a fascinating social climate to be part of and through ‘being’ part of the space; we are simultaneously shaping that space. This results in mixed identities and hybrid cultures and languages, performances and epistemological understandings of the world. My research and work assumes that identity is both internal and external; it resides within the person but it is also created in response to an interaction with the external (through external spaces). Every refugee and migrant comes with stories and histories, and ways of being that are met with levels of social reactions, levels of hostility or acceptance. This then has a direct link to the performance of one’s identity, gender and sexuality.

It was Marjorie Mbilinyi who pointed out that historically, gender has been an unmarked category for men, but for women, a story is rarely told without a gender reference (Mbilinyi: 5). From this statement I can also infer a similar queer perspective in that sexual minorities, who fall outside the hegemonic binary of heterosexist gender norms also rarely tell stories without reference to gender. In addition to this, I also assert that

these references to gender are more than references, but are performances of sexuality and identity. I argue that these perceptions influence our performances of sexuality and our epistemological understanding of the world around us and our own identity is constantly shifting and moulding to the inter alia, social, political, religious, economical, familial, judicial influences that we absorb over the course of our lives. The Personal Narratives Group explains, “these exchanges we have and the knowledge and influence they impart about emotional and physical well-being, communal values, aspirations, or power become part of our reality. “They are as true as our lives” (Personal Narratives Group: 262). I thus focus on highlighting how the norms and popular sexuality discourse shape the way the individuals in my study perform and conform their gender identities to normative understandings of masculine/feminine binaries and/or how they do not conform and resist these binaries.

As the data illustrated, heteronormative gender roles are frequently imposed and normalized within societies across the African continent and as I dug deeper with the sexual refugees in this study, I understood that these norms around sexuality/ gender/ identity have been internalized, justified and in turn reinforced the ultimate reproduction of these notions of sexuality and the hierarchy of gender. More importantly, if we understand that “not only is the norm responsible for producing its field of application... but the norm produces itself in the production of that field.” (Butler, 52), it becomes evident that what is enabling patriarchal and heteronormative understandings of gender and sexuality is the constant reproduction and revalidation of the gender norm that guides them in the first place

As chapter two illustrated, all human experiences are gendered but feminist theory and queer theory are vital in the comprehension of human activity and behaviour. Using a gendered and queer lens is crucial in the feminist reconstruction of our understanding of the world we live in and for our own lives. Feminist and queer theory advocates for the collection and representation of “counter-narratives”. The Personal Narratives Group explain that counter-narratives are narratives of those telling the stories who often do not think, feel and act the way they are ‘supposed’ to; In addition, the unmasking of alternative realities are counter-hegemonic (Personal Narratives Group: 7). I believe that the life stories presented here of sexual minorities and sexual refugees are counter-hegemonic and offer insights and exposure to the viewpoints embedded in dominant ideology. Counter-

narratives offer a perspective that is often invisibilized by society and by understanding other standpoints of truths and experiences; we can challenge the hegemonic and heteronormative ideologies that continue to inform present day norms and attitudes towards sexual minorities and sexual refugees. As we see through the stories of truth presented in this research, the lives of LGBTI individuals continue to defy and contradict the rule of normativity and heteronormativity. The Personal Narratives Group assert that “Often those with counter-narratives have a heightened sense of injustice, but even those of acceptance and conformity must also be analyzed interpreted and understood because the process of those conforming to those rules is a reproduction of domination, and a response to the system they are coming from thus revealing its dynamics” (Personal Narratives Group: 7).

I utilize Judith Butler’s theoretical framework around gender for this analysis. Gender, as she describes, is not a naturally given essence but rather an effect from systems of power that produce subjects and normativities of masculine and feminine ideals. Regulations of gender are falsely constructed by hegemonic, heterosexist regimes of power. Butler maintains that no binaries of feminine/masculine actually pre-exist in society but rather are created from a repeated regulation and assertions from a political or juridical entity. Butler warns that if gender is constructed then the construction itself is a problem as a process. Highly rigid ontologies of gender are illusions at best. The binaries of normativity/ difference and femininity/ masculinity were falsely constructed ideologies, which greatly affects the lives of sexual minorities across Africa. Even within the heterosexuality/ homosexuality dichotomy, or butch and femme identities within queer theory, Butler insists that these representations as we come to understand them are still only understood against a heterosexist power regime. She states,

“The unity of gender is the effect of a regulatory practice that seeks to render gender identity uniform through a compulsory heterosexuality. The force of this practice is, through an exclusionary apparatus of production, to restrict the relative meanings of “heterosexuality”, “homosexuality” and “bisexuality” as well as the subversive sites of their convergence and resignification. That the power regimes of heterosexism and phallogocentrism seek to augment themselves through a constant repetition of their logic, their metaphysic and their naturalized ontologies” (Butler 1990: 44).

Central to Butler's argument is a conviction that culture is capable of producing ontological (ways of being) and epistemological (ways of knowing) frames of reference which are so powerful that they congeal into the apparent invariance and irreducibility of material reality (Kirby: 23). Nevertheless, because LGBTI individuals are different from the present dominant heterosexist culture, sexual minorities continue to experience discrimination, disenfranchisement, disfigurement, and dehumanization (Wolfson, 37).

This idea that sex, gender and sexuality are constantly being reproduced to fit (or challenge) normative binaries is reinforced by Butler's main contribution to feminist and queer theory which is the idea that these categories are performative. Butler points out that "gender is always a doing, though not a doing by a subject who might be said to pre-exist the deed. The challenge for rethinking gender categories outside of the metaphysics of substance will have to consider the relevance of...there is no gender identity behind the expressions of gender, that identity is performatively constituted by the very "expressions" that are said to be its results" (Butler 1990:32). In this way, sex, gender and sexuality are rather a performance of the body to represent some form of gendered/sexualized expression. In the end, Butler effectively and critically disputes the traditional feminist myth that sex is nature and gender is culture, rather pointing out that both sex and gender (and subsequently desire/sexuality) have been historically defined within the limits of a conceptual heteronormative binary that is not only obsolete and useless but also restrictive of many identities and performances that effectively contradict and challenge the binary itself. Moreover, a queer understanding of gender and sexuality sees these categories as produced and reproduced by the constant repetitive performance of particular acts that are inscribed on the bodies of the subjects and that, when they take normative shapes, create the illusion of a coherent gender and sexual desire/sexuality. The focus of my analysis then must lie on the identities, performances and subjectivities and recognize the non-normative manifestations that comply with the norm.

Regardless of the challenges, each individual in this research faces, it is crucial to point out that the level of internalization of these challenges determined the level of their realm of possibility in their lives. There was an interesting contrast between resilience and the desire for self – improvement and acceptance and surrendering to life as it is. Moen explains that although there are different levels of social constructivism, what these versions have in common is the belief that individuals learn and develop through



participation in social activities in the world. Society – or the world, for that matter – has continuous influence on the individual or the mind, and vice versa. Human beings learn and develop in these mutual processes between the individual and society (Moen 2006:2).

## Ethnographic Reflections

*"The real voyage of discovery consists not in seeking new landscapes,  
but in having new eyes"*  
~ Marcel Proust

I began this master's research two years ago without the intention of including an ethnographic section within my dissertation. However, throughout this entire process I have grappled with the intersection of representation, power dynamics, and subjectivity, which are all part of the practice of ethnographic research. The first phase of this research involved thematic analysis around the narratives/transcripts I collected and these stories were shared as representations of the complexities and multiplicities of experiences from sexual refugees living in Cape Town. As I began to form closer relationships with my participants, a parallel existence of their lives and personalities colored my worldview and a new layer of their lived realities unfolded, which were not part of the interview transcripts. Fieldwork in the social sciences is, by nature, messy and complicated process (Bourke et al: 95). Taking part in their "everyday life" as a friend shifted my understanding and my interpretation of my own research process, including a reflection around how I created meanings from my analysis that was best suited for this research topic. Accordingly, ethnographic methodologies in turn allowed me to illuminate how ordinary activities and meetings between my participants and I captured a much more "real" meaning of who they are as individuals. I developed a curious inquiry into our conversations that existed in a complicated, multi-faceted space. Ethnography usually entails participant observation in an immersion in the spaces inhabited by those in my research study. I did not fully immerse myself in terms of a home stay; however, our meetings and social time occurred in their homes, their churches, their local pubs, their residence rooms, soccer fields and their communities. Though this does push the conventional boundaries of ethnography, I reflect on these experiences as significant in providing a clearer picture of their daily lives, struggles and achievements and I share a few of these reflections in this study as a way to shed light on other aspects of their lives not mentioned in this study thus far.

Vered Amit (2000) states, "in a world of infinite interconnections and overlapping contexts, the ethnographic field cannot simply exist, awaiting discovery. *It has to be laboriously constructed...*" (My emphasis, Amit 2000: 6). It's Sunday afternoon and I make my way through the lively Cape Town taxi rink in the center of town. With Table Mountain

painting a stunning backdrop to the central station, I squeeze through the crowds and listen to the competing voices and whistles of the taxi drivers and vendors looking for their next customer. As I board my mini bus, I smile at the woman in front of me as our eyes meet.

“Um, sorry, are you sure you are on the right bus?” she asks, her face clearly confused.

“Yup,” I reply. Her left eyebrow slowly rises with concern.

“White people don’t go to Khayelitsha. Are you meeting someone?”

“Yes my friend lives there. She is meeting me at the taxi rink.” I explain. The woman nods her head slowly and sits back quietly in her seat. Thirty minutes later, we pull into the ‘Site C’ taxi rink in the district of Khayelitsha, one of Cape Town’s largest townships with over a million people living there. As I exit the mini bus, the same woman grabs my arm as I get out. “I’m not letting you walk by yourself,” She says.

“Aw, thank you but really, I’m fine. My friend will be here shortly.” I explain.

“Uh uh! NO!” her grip tightens as we walk, “You cannot walk around here as a young white lady. They will rob you, rape you or beat you.”

I smile at her persistence. We chat. Her name is Gladys. She has three children. She is on her way to the funeral of her friend. Moments later Henry strolls into the station and Gladys and I say our good byes and I walk through the sharp clouds of braai smoke near Sasas Restaurant and hop into Henry’s car. As always, we laugh and joke about how good it is to see each other. We are on our way to the soccer field. She has a game. We exchange stories of our week. Henry explains, “Last week, another one is dead. They dumped her body in the dustbin. It was done by her best friend”. We talk about the details. The young lesbian was a friend of Henry’s friend. She did not know her personally but had seen her around. It is hard for me to not get upset. I struggle to comprehend the level of violence of treating another human being as a piece of garbage, worthy of being dumped in a bin and left for anyone to find. I instinctively create the morbid image of her corpse in my head and piece together the scene of the murder in my thoughts.

We arrive at the football field. A few of Henry’s friends, who also happen to be lesbian, greet us and start talking about the weekend. “I heard in Nyanga, a lesbian was shot, but they only hit her arm and she’s alive. Yoh! She was running away and they shot her! She was young too, only 17”. Again, I observe that these threats to lesbian women in the townships are spoken about like its normal daily gossip. Over time, I came to recognize

that these conversations spoke loudly into notions of “safe space” and lack thereof. To imagine and re-imagine what safe spaces look like in Henry’s reality is a complicated one. Listening to the women talk illustrates that even in your own homes, with so-called “best friends,” lesbian women are constantly at risk. Henry’s friends explain that many of the lesbian women who have been killed or raped in the last few years all knew their perpetrator.

I did not see these experiences as ethnographic in the beginning but my continual visits to the soccer field and to Henry’s home became more “field-like”. The spaces and experiences that transpired in those spaces were incredibly rich. As I sat on the bleachers watching Henry play that day, I observed the neighbouring tin roof shacks adjacent to the field. There’s a footpath that leads to the main road. The soccer pitch is boldly lined with triple layers of razor wire, protecting the green, or perhaps the people who play on it. A group of 15 or so teenagers pulled up on the opposite side of the soccer field with amps and a microphone. They blast the music and form a circle, taking turns on the microphone rapping and cheering each other on. A few of the men scream profanities at the female athletes on the field. The women ignore the interruptions. I felt my uneasiness increasing though. Despite being on opposite sides of the field, the group’s aggression is intense and I did not understand why they must bother the football match. I turned my attention back to the game, taking deep breaths and telling myself that everything is fine. I can see that Henry is happy on the field. She always smiled when our eyes met. She scored four goals this match. As I joined her and the team in the change room after the match, I could not help but laugh at Henry’s annoyance at her for the shots she missed. “I should’ve scored 8!” she said. She is a star player; she feels she should have done better.

I realized that my visits also spawned additional conversations around lesbian safety and issues they faced in the townships since Henry and her friends were aware that this “white lady” was interested in LGBTI issues and was willing to listen. I felt like there was openness to our conversations, and even though we were from very different and distinct socio-cultural backgrounds, there was a shared interconnection that was formed between us. I realised that “in an interconnected world, we are never really “out of the field”” (Gupta & Ferguson 1997: 35). As a researcher, I created these ethnographic reflections beyond the notion of ‘the field’ as a set of physical sites. A focus “on relations, rather than locations” (Hastrup & Olwig 1997: 8) reveals that bodily presence in a particular place becomes less

significant than the quality of relationships built through sustained interaction over time. It is these relationships that are the substance of my research and fieldwork and it is this web of people I came to understand, not the places that form 'the field'. I came to realize that Henry's life on the soccer field was one of the very few spaces she felt truly herself and free. It was her anchor.

My relationship with Sasha was probably one of the closest formed over these two years. According to Jacobson, the aim of ethnography is to create "a coherent representation of society out of the kaleidoscope reality of human action, thought and emotion" (1991:3). My experiences with Sasha are full of emotion and stories. As I reflect now on our friendship journey, this thesis obviously was the catalyst that brought us together but she is in my life now and I am in hers. Perhaps the level of depth began in August 2010, when I spent an evening with her at a bar having some drinks and catching up on a Friday night. After Sasha consumed six or seven drinks, I noticed the conversation started spiralling and drowning in negative thoughts. Witnessing the distress, I suggested we walk home. Within moments of being inside the house, she was weeping and sobbing quite profoundly and becoming more aggressive and uncontrollable. What followed I was not prepared for. In a huff, she stood up, walked to the kitchen, grabbed a knife from the drawer, and began to slice at their wrists. As I screamed in horror, Sasha ran from me into the bathroom and locked the door. In a panic, I banged on the door; I begged her to stop. In what must have been a rush of adrenaline, I managed to break open the door, wrestle her to the floor and successfully pried the knife out from their fingertips. As hard as I could, I threw the knife out the door and down the hallway and in utter exhaustion, slumped down the doorframe to the cold bathroom floor in tears and speechless. Having lost a close friend to suicide in my teenage years, I felt like I was reliving my trauma all over again. Eventually we reached out to each other and sat there crying, embracing each other silently, most likely unaware of the true extent of each other's pain. I questioned my own legitimacy in the field and wondered what right I had to enter this space and write about the lived realities that I myself do not experience. Was this incident waiting to happen? Did I trigger it? Was I meant to be there that night and save a life? Was my research causing harm? Should I not have had drinks with her that night? I battled with how I was influencing our space together. It was confusing and emotionally challenging.

Two years later, Sasha is a new woman and has grown tremendously. One year ago, I received this call,

“Heidi! We need to meet now. I have really exciting news to share with you! I’m coming to Sea Point. I’ll see you in 30 minutes,” Sasha’s voice filled with elation. I could not argue otherwise.

“Ok, why don’t we have breakfast then?” I ask, “You can tell me about it then”

Sasha happily agrees and we agree to meet at Cafe Manhattan, a gay friendly bar on Sea Point main road.

“Heidi I’m going to FINALLY get my COOKIE!!!!” She is overjoyed by this reality. When she told me, she squealed with excitement and said, “Heidi I’m finally going to have my cookie!” We laughed so hard. Her cookie is her new vagina. Sasha knows one of the plastic surgeons at Groote Schuur hospital in Observatory. A spot had opened up in 8 weeks time for her to get her surgery. With sexual reassignment wait lists up to 2 years long, this was a very rare occasion. We giggle about sexual organs and intimate sex talk and what having a vagina means to her. This surgery meant she would be normal within society, something she had longed for since she was a child, “I don’t care how much pain I will be in. It will eventually go away and I will finally be a woman.”

In July last year, Sasha presented me with an idea to start her own transgender organization in Zimbabwe. She asked me to be an advisor and help her with proposal writing and budgets. To my utmost surprise and delight, Sasha received money from OSISA to pilot her idea in Zimbabwe. She has created a network online of around 25 transgendered individuals in Zimbabwe to start support groups and advocacy initiatives. As of a few months ago, Sasha went back to Zimbabwe to start this brave endeavour. We communicate on Skype, whatsapp and facebook regularly. It amazes me the transformation over two years and the accomplishments she has achieved. Imagination and thinking in possibilities ignited her enthusiasm and the moment she had a window of hope, she blossomed. I realized that when emphasis is put on where people want to go rather than where they have been, opportunities emerge. I found this to be particularly moving for me because as the interactions increased between myself and Sasha, I became acutely aware that she was determined to take steps to fulfil her own hopes and dreams.

I was missing Billy one day in May this year so I called him to say hi and check in on how his exams were going. “Oh my God Heidi, we have to meet. I’m coming to church on

Sunday, maybe I can come earlier and we can meet beforehand?” There was a remarkable spark in his voice. We agreed to meet at the station in city center and go for lunch. That Sunday, as always, I am greeted with a warm long hug. He is wearing a smart black suit, ready for church. He giggles as he talks,

“What is so exciting? Tell me!” I ask.

“No let’s wait until we sit down, then I’ll tell you.”

We find a place on Long Street and order lunch. It is a beautiful sunny day. “Ok!” Billy bursts out, “I have to tell you. You are going to be so shocked!”

For the next ten minutes, Billy recounts the incredible journey he has just been on over the last three weeks. He went to a Triangle project information session on transgender issues out of curiosity and borrowed videos from their library. I listened attentively. The information he gained resonated so deeply with him, a physical shift in his being occurred. He explained that nothing has been so clear for him in his entire life...he knew he was transgender. He knew he was a girl inside but came out and was living as a gay male for all these years. With synchronicities playing their part, he was introduced to a woman who sits on the board of doctors who perform sexual reassignment surgeries in Cape Town. All signs were lining up and it felt right for him. He has had consultations since and will begin hormone treatment at the end of Winter break. I was flabbergasted. He grabbed my hands and shrieked with excitement.

“Imagine Heidi, I’m in my final year of engineering. I am going to do my Masters next year and then my PHD. I will be a beautiful educated successful transgender woman engineer! What a statement that would be!” We laugh at the opportunity. He invites me to go shopping with him. He wants to start buying women’s clothes slowly as he begins his transition. In innumerable ways, this was such a powerful moment for Billy. I never witnessed him so happy. He was discovering himself and taking action. He was venturing into an unknown space with courage and I admired his new commitment. Although he knew he would face ridicule from some, Billy stuck to his path. Sharing in moments like this was special for me. My battery was recharged seeing resilience and hope in him. It was so easy to allow myself to leak energy within this study and moments like this were a blessing. My role in this moment was to be supportive and open. I was witnessing the beginning of his future, being born. It was an authentic encounter.

Billy has found a new support system with the MCC church, which is one of the only gay –friendly churches in Cape Town. Billy still feels a powerful connection to his spirituality. He explained that everyone at the church loved him; they enjoyed his company and missed him when he was not there. This space is his new safety net and where he will gain further support as he begins his transitioning journey. Through this church, he has met many other LGBTI individuals who also celebrate a loving and non-judgemental God and this has significantly altered his happiness levels in Cape Town. Church at the MCC served a number of functions, not only the obvious religious ones. It created a social network of people, for friendships to develop and to gain further support and sharing of resources. Upon visiting the church a few times with Billy, I observed that after the service, a social committee took turns preparing snacks, sandwiches, teas and coffees as an incentive to get people to stay and build community. There are bookshelves with lots of reading material on LGBTI issues and people are free to borrow and share as much as they please. These insights and sharing safe spaces struck me as very powerful. His freedom to be himself snagged at my emotions. What would the world be like if we all could be so open and free all the time? How much has been lost in society's development by this thwarted reality of homophobia?

Bourke et.al explains, "We as researchers cannot separate ourselves from the space. Who we are, how we are on that particular day and all that, has moulded us into that person that now sits "within" ethnographic space will influence the outcome of whatever material we produce. Whatever difference we make, whatever story we write, we as researchers need to acknowledge our influence on the insider" (Bourke et al: 103). Ultimately, there were numerous occasions throughout this journey where there were tensions between friend and researcher, insider/ outsider. Bourke states, our very task as researchers moves us to both the center (in terms of power to represent and write) and the periphery (in terms of belonging) of a community (Bourke et al: 104). Nancy Naples asserts that the methods we chose to employ profoundly shape our epistemological stance within research (Naples 2003: 3). This also informs our interpretation of ethical issues within our research as well as our interpretation of the data we collect.

Upon further reflection around my research and through ongoing relationships with the participants in this study, I realized that there were many instances of contradiction, which seem to co-exist within their lived realities. The two most notable were around identity and identity formation and the dichotomy of being a victim versus survivor. It was



clear that identities are not given and are constantly negotiated and displayed as a performance in different contexts. On some days, the individuals were proud of who they were, where they came from and acknowledged their identities. Other days, there was denial. There was a “why me?” attitude whilst gripping onto the notion of being a victim to societies unfair judgements for being a sexual minority. Some days there was a sense of belonging within Cape Town and other times the stark reality of their foreigner and “othered” status. This is significant to sense one has for hope when faced with difficult and challenging environments. This particular theme was pivotal in my research outside of the interviews. The “archaeology of hope” involves looking for competencies, strengths, overlooked possibilities, latent joy and other little nuggets that we can pluck and bring forward in our lives. I observed in my interviews that those who are in vulnerable situations did little to look at their particular strengths and resources over their weaknesses or limitations they put on themselves based on their situation. However, once we moved from researcher/participant to a friendship level, I became acutely aware that each person had her/his own hopes and dreams and positive aspects of their lives and a resilience that did not come through so strongly within the recorded interviews.

Through my engagement and ongoing ethnographic interactions, I now understand the importance of recording lives and memories. Yes, there are ethical and methodological problems that come with that act of recording; however, compared to the overall goal and importance of sharing often-invisible stories, these problems indeed become minimal. Marjorie Shostak explains that stories of ordinary and not –so –ordinary people weave complex stories together, telling of worlds sometimes foreign to us, but these experiences have meaning for them. These meanings, complexities and paradoxes of human life help us learn tolerance for the voices of otherwise obscure individuals, as well as appreciate similarities of human nature and human possibilities (Shostak :239)

## Conclusion

The journey of completing this Masters has not been an easy one. It was a pilgrimage of sorts, a trek through winding roads, complete with hills and valleys and plenty of roadblocks along the way. Each roadblock created a time to stop, rethink and go back to the drawing board. As I come to the end, perhaps badly worn from the journey, I am left with the understanding and reflection of the process. Word by word, line by line, page by page, a story has unfolded and a personal one as well. What began as skimming the surface of lived realities of LGBTI refugees became a deeper plunge over time. Time permitted and encouraged me to experience this depth, to form stronger connections with people in this research and with myself. My own self-categorization, my methodology for this project, my intentions and desires from this Masters research demanded analysis. I had to redefine what it meant to write about the stories of others. I had to deeply engage with the implications of doing so, and the consequences of “doing harm”. Jane Bennett explains that “Research ethics for feminists entail more than questions of consent, plagiarism, or scientific integrity – these ethics are seen to exemplify a commitment to (at the very least) “doing no harm”, to coherent performance of human interaction in which injury (epistemological, or otherwise) is proof of political hypocrisy, indolence, or naivety” (Bennett 2006:4). This research had me seduced by the levels of injustices and from my location as a privileged, foreign, white Canadian middle class student, I became increasingly aware of the power and influence I had within the spaces I encountered and created. I was entering spaces where individuals face mortal danger on a daily basis and the seriousness of that reality was scary on many occasions. I attempted to be as authentic as possible, and throughout the research I have recognized and highlight the shortcomings and personal battles encountered throughout this journey, which I feel, is important in any feminist research undertaking.

The experiences within these life histories are not isolated incidences. As illustrated in previous chapters, LGBTI individuals across the African continent face perilous daily challenges in their constant (re)negotiation for safe space within extreme heterosexist and homophobic societies. Because of the diversity of the stories and lack of voices of sexual refugees within academic research, my aim for this first section of the analysis was to briefly present the people behind the thematic analysis of sexual refugees and introduce the reader to those individuals who shared many moments with me over the last two years. I

ended with ethnographic reflections to supplement the initial interviews carried out and to illustrate the different complexities and differences that their lives have based on the space they occupy. As Layder (1998) explains, ethnography as a method, allows one to hear competing, contradictory and shifting opinions over time; it enables one to observe processes and interactions. What people say they do and what they actually do may differ substantially. "Ethnography, in this usage, means a coherent narrative picture of social life" (Katz: 2004: 299).

This thesis draws together in a novel way ideas around space-making, community, identity and gender performance. This work's main purpose is to force us to address the uncomfortable, to learn to read the world in which we live. What has been observed is the fluidity and inter-relatedness of gender and sexual identity, space and community and what has been offered is an understanding of the connections these have on each other and how external forces influence the performance, shape and negotiation these realities. What I have learned is that our collective responsibility is based on a commitment to equality and ending gender based violence. In order to do this, we need to see beyond what we know and listen beyond what we are able to hear. As explained throughout this dissertation, often stories of LGBTI individuals are invisibilized by societal heteronormative constructions of identities and sexualities. Taking gender seriously requires us to recognize that bodies do matter, but the way they matter is a social phenomenon (Butler: 1993).

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## APPENDIX A: THE PEOPLE BEHIND THE WORDS

I have included a short biography of the people who took part and influenced the creation of this thesis. Their stories are important and my relationships with them are ones I treasure.

### **Sasha Fierce - Zimbabwe:**

Sasha was born in a small village in Zimbabwe in a male body. She remembers never feeling or acting like a boy from her earliest childhood memories. She identified with female roles, dressed up in women's clothing and preferred to be around other girls. Sasha said she has *always* been a woman trapped in a man's body and was aware of her difference from an early age. She explained that even her neighbours would gossip about the 'strange child' who dressed in women's clothing and wanted to be a girl. As she hit puberty and continued "being a girl", her life as she knew it had come to an end and a long road of life threatening, horrifying acts would begin to define Sasha's life in Zimbabwe. Sasha would hide for days in her parent's home unable to leave for fear of what might happen to her. Her family, affected by her 'difference,' would often beg her to change for their sake or at least stop outwardly living this way.

Sasha left Zimbabwe by bus and arrived in Cape Town in 2008 with nothing more than a plastic bag and fifty rand (approximately 7 USD) in her pocket. She decided to come two days earlier when she read an article in a magazine about a transgender organization called Gender DynamiX and she knew she had to go there for help. In a split decision, she boarded the bus and left Zimbabwe in hope of finding a better place to live her life.

Sasha is tall and beautiful. She is very sentimental and sensitive. She also has a diva side to her personality, one of vivaciousness and confidence, and this camouflages the scars of the past which she carries with her. She is twenty three years old. She takes female hormones daily and is now in pre-op stages for her surgery to finally become a woman physiologically. Her favourite food is pap, beef and veggies. She can drink savannah dry ciders like they are juice boxes. She loves to dance. Her favourite musical artist is Beyonce but "love from my father" by luther vandross will "finish her" and bring her to tears every time. She explained she would give anything to dance with her father one more time. He died in 2009.

## **Junior Mayema – Democratic Republic of Congo**

Junior Mayema is a young gay male from Congo. Growing up in Congo was difficult for Junior. He said he always knew he was gay and liked boys from his early years. In school, boys would bully him for being too effeminate and told him to go play with the girls while the girls told him he was not a girl and to go play with the boys. Junior found himself constantly stuck somewhere in between the spectrum of boy/girl and never really found a way of fitting in. His family were physically, emotionally and sexually abusive towards Junior. His mother tried to kill him and even though South Africa was not his first choice for refuge, it was the easiest to get to as Europe and Canada proved to have a labor intensive and difficult refugee process.

Junior is one of the most active and passionate young LGBTI activists I have met here in Cape Town. He did not require a pseudonym because he says as an activist his identity does not need to be hidden. He continues to amaze me with his dedication to having his story heard internationally and even if it is posting articles on facebook, he continues to live his life fully to promoting the human rights of sexual minorities. He truly embodies a gender activist. He and I have started working on creating a positive peace platform to end violence against LGBTI individuals in South Africa and abroad. He has a beautiful soul. He calls me sweetie or his beautiful Canadian citizen friend. His dream is to go to Canada and study law to become an LGBTI lawyer one day. He is twenty four.

## **Billy: Rwanda**

Billy grew up in Rwanda. Born into a Rwandan refugee family in Burundi, his family migrated back to Rwanda after the genocide in 1994. His parents had been killed during the war and so he was raised by his uncle. Billy explained that since the young age of five, he knew he was gay. Even though a five year old could not comprehend the term “gay”, Billy explained that all of his childhood memories were of him pretending to have sexual games with other boys and having the urge to look at naked men (Interview with Billy 2010). Growing up as a gay male was one of the hardest challenges for him as he was brought up in a very Christian family and the messages from his pastors and his family were always so negative about same sex relationships and especially gay men. Billy explained, “When I was alone in my room or somewhere where I could find myself alone, I could start questioning

myself, a thousand questions...what on earth am I?" (Interview Billy 2010). Every Sunday when the pastor would invite the congregation to come forward and pray for anyone they knew or for themselves, Billy would go to the front and pray to God be healed from these feelings but he sighed and said, "I never get healed!" (Interview Billy 2010).

Billy loves wearing his pink glasses. He is incredibly intelligent and laughs and smiles constantly when he talks. He recently informed me that he believes he is no longer gay but transgender. He watched a film and it made him realize that this was exactly how he felt. He has met with doctors and will begin sexual reassignment at the end of his studies. He remains active in his church in Cape Town and is still strongly spiritual. He speaks quickly and is sometimes hard to understand because he gets so excited when he talks at times. He has a genuine heart to him and would help anyone who needed it. He studies engineering and is confident that one day, his studies will pay off and he won't suffer anymore. He wants to be a beautiful, successful transgender female engineer and will break all stereotypes within this field.

## **Henry - Uganda**

Henry grew up in Uganda as a young lesbian woman. Being a star athlete football player meant that opportunities came her way to travel. Sports dominated her life and identity and she visited numerous African countries on Uganda's National Women's Football team. She knew she loved women but did not know the term 'lesbian' in her language. Henry knew that being a lesbian in her country was unacceptable and faced the threat of jail or death. Henry has been mistaken for a boy for most of her life. She epitomizes the stereotype of tomboy and feels more comfortable in men's clothing than women's. On multiple occasions when we would be together, we are addressed by individuals as "sir and madam" or assumed to be "boyfriend and girlfriend" – *"ah man, you have a mulungu girlfriend"*. Henry and I have grown quite close. I've visited her and her friends in the townships dozens of times. She calls me just to say goodnight. We have gone out together in bars in Khayelitsha and Gugulethu and I've watched her soccer matches held on Sundays in the townships. She laughs when she tells me stories of people gossiping of her "white lady" friend. "Me I don't tell them how I met you. I say *'she's my friend. That's all you need to know!'*"

Henry's journey to Cape Town originated in her desire to play soccer here in 2006, but that did not happen as she had planned. Henry explained being a lesbian was unacceptable in her country and many people could be jailed for years or even killed. Unable to go back to Uganda, Henry sought asylum in Cape Town. Henry summarized her thoughts on Cape Town in the most succinct way, "There is no freedom here" (interview Henry 2010). Her expectations of what life would be like here in Cape Town were vastly different from her initial perceptions. She lives a simple and quiet life, selling clothes and cell phone parts as a vendor to survive. She still plays soccer in a women's league and is one of the star players on the team.

### **Marcus - Zimbabwe**

Marcus is an attractive young gay man from Harare, Zimbabwe. He is twenty six and sports a well groomed set of dreads/ braids with striking eyes and a big smile. He was orphaned at a young age and was raised by his auntie. We met through a mutual friend who knew of Marcus' situation as a sexual refugee. He is shy with me but always willing to answer any of my questions. His stories of his life in Cape Town depict a much more open and free individual who enjoys partying and being quite extroverted. Perhaps it was the cultural and gender differences which contributed to the shyness; however, our meetings are always professional and focused on questions and answering. He consciously tries to be "straight-acting" and has explained that this helps him with acceptance within society and has opened doors for jobs.

Marcus fled from Zimbabwe to South Africa after being discovered as gay by his family. His mother opened his bedroom door without knocking while he was "doing homework" with his friend and found the two boys kissing. Convinced it was the devil possessing her child, they first tried a rigorous attempt at exorcism and organized priests visits to extract the demon responsible for making their son do such unnatural things. After his inability to be "cured", he was abandoned and kicked out of his home with all support disconnected. He originally came to Johannesburg but it was too dangerous and he then sought refuge in Cape Town.



## APPENDIX B: CONSENT FORM

### APPENDIX A

#### Interview Consent Form

**DEPARTMENT** African Gender Institute

**TOPIC** Exploring the lived realities of foreign African LGBTI immigrants in Cape Town

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**BACKGROUND**

I am a student at the African Gender Institute and as part of my dissertation in Gender and Transformation, I am conducting research on the lives of foreign African lesbian, gay, bisexual, transgender and intersexed (LGBTI) immigrants in Cape Town. I am interested in knowing the stories and experiences of immigrants/refugees, and in particular how they have attempted to create a safe space for themselves in their communities especially given the increased reports of xenophobia, homophobia, gender based violence and racism.

This particular study is being carried out in collaboration with the Triangle Project, a non-governmental organization in Cape Town whose goal is to carry out programmes and support services to strengthen the LGBTI community and advocate for the protection of LGBTI human rights. The purpose of these interviews therefore is to capture information on a certain demographic of LGBTI individuals in Cape Town. By collecting stories of lived experiences, a greater externally-directed advocacy strategy can be launched as well as internal service and community based programmes around gender based violence and LGBTI citizenship in South Africa.

This study will combine academic research with information gathered from one-on-one interviews with two groups of key informants, LGBTI immigrants/refugees and service providers, both LGBTI and refugee organizations. Interviews were designed to be approximately a half an hour in length for service providers and an hour for refugee participants; however, please feel free to expand on the topic or talk about related ideas and share your thoughts and experiences for as long as you feel comfortable. If there are any questions you would rather not answer or that you do not feel comfortable answering, please say so and we will stop the interview or move on to the next question, whichever you prefer. Participants are free to choose their own code name for the research. You may choose to be referred by the following alias if you prefer:

\_\_\_\_\_.

All the information gathered during interviews will be kept confidential. Because this research will be done in collaboration with the Triangle project, insights gained within this research are valuable and have the potential to improve the capacity of the Triangle Project to carry out its programming with LGBTI immigrants in Cape Town. The information will only be viewed by the names mentioned above. Upon completion of this project, all recordings will be destroyed and transcripts of the interviews will be stored in a secure location at the Triangle Project research, advocacy and policy office.

This study has been approved by the African Gender Institute. This study involves no foreseeable risks or harm to you. Information given by you will remain confidential and a pseudonym will be used to hide your identity.

#### **PARTICIPANT AGREEMENT**

THIS IS TO CERTIFY THAT I \_\_\_\_\_  
HEREBY AGREE TO PARTICIPATE AS A VOLUNTEER IN THE ABOVE NAMED PROJECT.

I hereby give permission to be interviewed and realize my interview is voluntary. I give permission for these interviews to be audio recorded. I understand the intent and purpose of this research and if at any time I wish to stop the interview, I may do so without having to give an explanation.

I understand that the information may be published but my name will not be associated with the research. The data gathered in this study are confidential with respect to my personal identity unless I specify otherwise. Prior to including any information from the personal interview in the final research paper, I will be given a copy of what is to be included from our interview to edit, add or omit comments that I may or may not feel comfortable with. I have been given the opportunity to ask whatever questions I desire, and all questions have been answered to my satisfaction. If I have any questions about this study, I am free to contact the student researcher, faculty advisor or Triangle Project (all contact information given above).

I have been offered a copy of this consent form that I may keep for my own reference

I have read the above form and, with the understanding I can withdraw at any time and for whatever reason, I consent to participate in today's interview.

\_\_\_\_\_  
Participant's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interviewer's signature

\_\_\_\_\_  
Date

## APPENDIX C: INTERVIEW QUESTIONS

### *Outline of Initial Guiding Questions Only*

#### Theme ONE – Personal history, country information

1. I feel a good starting point would be for you to tell me about your personal history. Please tell me about yourself and where you are from and what life was like growing up?
2. What was life like as an LGBTI individual in your particular country? Can you expand on stories and experiences?

#### Theme TWO – migrating to Cape Town, perceptions, challenges, before vs. after

3. What were your perceptions of Cape Town before coming to South Africa? What had you heard or understood about life there?
4. Can you tell me more about your motivation for moving to Cape Town and why? What didn't you know that you wished you would have been told beforehand?
5. What was your impression of Cape Town on arrival and during the settlement period? Did you have any social networks or links to Cape Town before coming?
6. Please tell me about the challenges you face as a refugee in this country? (ex. Home Affairs, documentation, adjustment issues, etc.)

#### Theme THREE – Adjusting to Life as a refugee, support from service providers, experiences with GBV, xenophobia, homophobia,

7. Was there anything that struck you profoundly when you first come to Cape Town?
8. Have you experienced any forms of gender based violence or homophobic/ xenophobic backlash in your community, work places or other spaces? If so, would you be comfortable to share some of those stories with me?
  - a. Did you report any of these incidents and if so how was it handled. If not, why?
9. Have you been involved or sought support with any LGBTI organizations in Cape Town and if so, can you explain?
  - a. How effective was the support and is there anything you would like to see improved upon?
  - b. If there was a support group for sexual refugees, would you be interested in participating?
10. Is there any other information you would like to share that has not been covered?